

1 CITY OF CORAL GABLES  
2 PLANNING AND ZONING BOARD MEETING  
3 VERBATIM TRANSCRIPT  
4 CORAL GABLES CITY COMMISSION CHAMBERS  
5 405 BILTMORE WAY, CORAL GABLES, FLORIDA  
6 WEDNESDAY, SEPTEMBER 16, 2009, 6:05 P.M.  
7

8 Board Members Present:

9 Tom Korge, Chairman  
10 Eibi Aizenstat, Vice-Chairman  
11 Robert Behar  
12 Jack Coe  
13 Jeffrey Flanagan  
14 Pat Keon  
15 Javier Salman

16 City Staff:

17 Elizabeth M. Hernandez, City Attorney  
18 Walter Carlson, Assistant Planning Director  
19 Scot Bolyard, Planner  
20 Jill Menendez-Duran, Administrative Assistant  
21 Maria Alberro Jimenez, Assistant City Manager  
22 Edward Weller, Building & Zoning Director  
23 Martha Salazar-Blanco, Zoning Official  
24 Sebrina Brown, Concurrence Administrator  
25 Jim Kay, Engineering Division Supervisor  
Kevin Kinney, Parking Director  
Carlos Mindreau, City Architect

Also Participating:

Nick Di Donato  
Ted Faust  
Vincent Damian  
Dan May

1           THEREUPON:

2           The following proceedings were had:

3           CHAIRMAN KORGE: Well, we have a quorum.

4           Let's call the roll, please.

5           MS. MENENDEZ: Mr. Aizenstat?

6           MR. AIZENSTAT: Here.

7           MS. MENENDEZ: Robert Behar?

8           Jack Coe?

9           MR. COE: Are we ready?

10          Jack Coe?

11          MR. COE: Here.

12          MR. FLANAGAN: Here.

13          MS. MENENDEZ: Pat Keon?

14          Javier Salman?

15          MR. SALMAN: Here.

16          MS. MENENDEZ: Tom Korge?

17          CHAIRMAN KORGE: Here.

18          All right, let's see, the first item on

19          our agenda is the minutes from --

20          MR. COE: Move approval, Mr. Chairman.

21          MR. SALMAN: Second.

22          CHAIRMAN KORGE: There's a motion and

23          second for approval of the minutes of the

24          meeting of July 8th. Any discussion?

25          Hearing no discussion, call the roll on

1           that.

2           MS. MENENDEZ:   Jack Coe?

3           MR. COE:   Yes.

4           MS. MENENDEZ:   Jeff Flanagan?

5           MR. FLANAGAN:   Yes.

6           MS. MENENDEZ:   Javier Salman?

7           MR. SALMAN:   Yes.

8           MS. MENENDEZ:   Eibi Aizenstat?

9           MR. AIZENSTAT:   Abstain.   I was not here.

10          MS. MENENDEZ:   Tom Korge?

11          CHAIRMAN KORGE:   Yes.

12                 The next item on our agenda is  
13       Application Number 07-09-089-P, Amendments to  
14       previous conditions of approval and  
15       previously approved site plan for the Country  
16       Club of Coral Gables.

17                 MR. CARLSON:   Before I begin with that,  
18       may I please point out before you, on the  
19       yellow piece of paper, there is a seminar  
20       coming up on Friday, October 2nd.   It's the  
21       Boards and Committee Seminar.   It's run by  
22       our legal -- I believe Liz's office is  
23       putting this on.   It's very, very good.   I've  
24       attended it a number of times.   It's  
25       excellent information.   It's, again, on

1 Friday, October 2nd. It's from 8:00 a.m. to  
2 5:00 p.m., and if you would like to make  
3 reservations with Liz's office, she'd be glad  
4 to have you attend. I highly recommend it.

5 CHAIRMAN KORGE: Okay, thank you.

6 Are you going to make a presentation on  
7 this first item?

8 MR. CARLSON: Yes.

9 Mr. Chairman, Board Members, good  
10 evening. The first item which is before you  
11 this evening is the Country Club of Coral  
12 Gables item. The applicant has a PowerPoint  
13 presentation and a detailed explanation of  
14 the proposal, so I will just be giving you an  
15 introduction and Staff's Findings of Fact and  
16 Recommendation.

17 This application is for revisions to the  
18 previously approved site plan for the Country  
19 Club. The site plan was approved by an  
20 ordinance in 2002. The proposed revisions to  
21 the site plan include outdoor dining on the  
22 south side of the property, facing onto  
23 Greenway Drive, an enclosed open-air area on  
24 the west side of the property, and  
25 improvements to the existing porte-cochere

1       which is located on the rear of the property.

2             The proposed plans have been reviewed by  
3       the Board of Architects and the Historic  
4       Preservation Board. The Board of Architects  
5       gave preliminary approval to the plans, and  
6       at last night's meeting, the Historic  
7       Preservation Board granted variances which  
8       are required for the project.

9             The Planning Department is recommending  
10       approval of the proposal, with conditions.  
11       The Department found that the proposal is  
12       consistent with the City's Comprehensive  
13       Plan. The proposal retains the same size,  
14       massing and building configuration as  
15       originally approved, in the original  
16       ordinance -- by the original ordinance. The  
17       applicant has proffered significant landscape  
18       buffering to screen the outdoor dining areas.

19            Conditions of approval are recommended to  
20       mitigate potential impacts of the proposal,  
21       and those include limiting hours of  
22       operation, limitations on lighting, music and  
23       valet service, and restrictions on permitted  
24       activities. All other previously required  
25       conditions of approval which were required in

1       the ordinance of 2002 would still remain in  
2       effect.

3           Also, an amended restrictive covenant is  
4       required with this request, which would  
5       provide for effective enforcement of the  
6       conditions which would be -- which are for  
7       the site plan. The specific recommended  
8       conditions of approval which are being  
9       recommended by Staff are included in your  
10      Staff's Report.

11           City Staff are here tonight from the  
12      Building & Zoning Department, Public Works,  
13      and Parking, to help answer any questions  
14      that you may have following the -- following  
15      the presentation, and with that introduction  
16      and Staff's explanation of Staff's  
17      recommendation, I'd like to turn it over to  
18      the applicant for their detailed  
19      presentation.

20           MR. COE: Mr. Carlson, if I may.

21           MR. CARLSON: Yes.

22           MR. COE: Hasn't the City Commission  
23      previously rejected the outdoor dining?

24           MR. CARLSON: That was withdrawn -- I  
25      believe that was withdrawn by the applicant

1           when this was -- when this was originally  
2           presented in 2002.

3           MR. DI DONATO: May I --

4           MR. CARLSON: Sure.

5           MR. DI DONATO: Good evening, everyone,  
6           and thanks for the time here to allow me to  
7           make this presentation. At first, I'd like  
8           to -- My name is Nick Di Donato. I'm  
9           President and CEO of Liberty Entertainment  
10          Group, in Toronto, and also president of the  
11          Coral Grand, LLC, which has taken over the  
12          lease for the property at the Coral Grand --  
13          Coral Gables Country Club.

14          What I'd like to do, if I may, is give  
15          you a little bit of a brief history of  
16          Liberty Entertainment Group, because the City  
17          Commission, before awarding this project to  
18          us, was very interested in what we've done in  
19          the past, our history, and what we do in  
20          Toronto, and our intentions with this  
21          facility here in Coral Gables.

22          We believe that the Country Club of Coral  
23          Gables is one of the most prevalent important  
24          historic facilities in the City of Coral  
25          Gables and is part of the fabric of the City

1       and its culture, and we believe that it's an  
2       important venue to maintain, revitalize, and  
3       it's of vital importance to make sure it's  
4       utilized, as opposed to being closed down.

5               We also believe that we, as an  
6       organization, have a very good understanding  
7       of not only the hospitality industry, but  
8       also the historical nature of buildings, as  
9       that is our forte in the City of Toronto. In  
10      Toronto, we have a series of facilities, and  
11      many of these projects are very similar to  
12      this one in the City of Coral Gables.

13             The Liberty Grand, it's a hundred  
14      thousand square foot facility, located at  
15      Exhibition Place in Toronto. This was a  
16      City-owned property which sat dormant for  
17      almost 50 years, only used for exhibits  
18      during the CNE, three weeks a year, and we  
19      were awarded the project, similar to in this  
20      case, to utilize this facility for a private  
21      function space. Back in 2001, we took over  
22      the space. We have done about eight million  
23      dollars in construction to turn a historical  
24      building, without any air conditioning,  
25      heating or windows, into a premier class



1       venue, and currently it is one of the most  
2       spectacular venues in Canada. We hosted the  
3       farewell party to our previous Prime  
4       Minister, Mr. Chrétien, and Mr. Harper. We  
5       host the Toronto International Film Festival  
6       and a series of other things. But this  
7       building, which was costing the City a couple  
8       hundred thousand dollars a year, has come to  
9       the private sector. We've restored it and  
10      turned it into a facility where the people,  
11      the general public of the City of Toronto,  
12      can utilize it.

13             (Thereupon, Ms. Keon arrived.)

14             MR. DI DONATO: With this building, we've  
15      also created an outdoor courtyard where  
16      people can have weddings outside, dinner  
17      outside and so on, and it's a very important  
18      element of the construction of this building,  
19      which was never used for the hospitality  
20      sector.

21             You can see some of the original  
22      pictures. The building was in disrepair, as  
23      I said, no air conditioning, no facilities.  
24      It was used twice, two times -- three weeks a  
25      year, now it's used 365 days per year.

1           The Rosewater Supper Club, another  
2           building, built in 1873, when we took it  
3           over, was an older building in the City of  
4           Toronto, not utilized for anything, closed  
5           down for several years. We acquired the  
6           building, restored it, brought in a  
7           hospitality segment to the facility, and now  
8           it's one of the most prolific restaurants in  
9           the City of Toronto, with the distinguished  
10          honor of the DiRoNA Distinguished Restaurants  
11          of North America, in Canada. So only three  
12          restaurants in Canada have that honor. The  
13          Rosewater Supper Club has that honor. And in  
14          this facility, also, what was paramount and  
15          important to us was the outdoor dining  
16          component, to make sure that the facility  
17          would work.

18               (Thereupon, Mr. Behar arrived.)

19          MR. DI DONATO: Again, the Rosewater  
20          Supper Club, you can see, when we took over  
21          this facility, most of the history was ripped  
22          out of the space itself, and we brought in  
23          craftsmen to recreate most of the cornice  
24          work and details to the building, to bring  
25          back that history, and are able to create a

1 facility where the citizens of Toronto can  
2 now visit the space which had been closed  
3 down and enjoy the premises, enjoy the  
4 facility on a regular basis.

5 The Courthouse was a regional courthouse,  
6 built in 1853. When we acquired this  
7 building, it had been dormant for over 12  
8 years. It was boarded up, closed down. The  
9 City didn't know what to do with it, it was a  
10 surplus property, and we've taken this  
11 facility and, again, taken the same approach:  
12 It's a piece of history; make sure and  
13 maintain that history; make sure we care for  
14 it; make sure that this facility will be  
15 there for years to come for the citizens of  
16 Toronto. And in this case here, this  
17 building was actually landlocked and had no  
18 opportunity for a patio space or outdoor  
19 facility. We had to go to the City Council  
20 at the City of Toronto and actually have a  
21 street closed down so we could have an  
22 outdoor area and facility to accommodate the  
23 outdoor dining component that we would  
24 require of this, the first time the City of  
25 Toronto actually closed down a street for the

1 private sector, to allow a patio in an  
2 outdoor area, and it was because this  
3 building was landlocked, the City was  
4 concerned about the long-term viability of  
5 the building, and in their mind it was an  
6 important enough feature to ensure their  
7 success and a viable operator in the  
8 building, and so at the Courthouse, we  
9 actually have an outdoor facility right on  
10 the street in front of the Courthouse itself.

11 There's some pictures, again, of the  
12 Courthouse and what it looks like today, and  
13 if you go to the next one, this is what it  
14 was when we acquired it. It was  
15 completely -- pretty well virtually destroyed  
16 by water and not having heating, in Canada,  
17 more so than here in Miami, no heating is a  
18 real problem because of the cold. And now it  
19 is one of the most spectacular venues in the  
20 City, and we've hosted the Mayor's events at  
21 this venue, and, you know, many significant  
22 functions.

23 Casa Loma is one of North America's only  
24 castles. I think it is the only castle in  
25 North America, built in 1911. This facility

1       here is mainly a tourist attraction in  
2       Toronto. In the past two years, the City has  
3       come to us because of the downturn in the  
4       economy and tourism and travel in Canada.  
5       They were having some significant challenges  
6       in maintaining the building, the cost of  
7       maintaining the building, versus the revenue  
8       generated by tourism. So the City of Toronto  
9       came to Liberty Entertainment Group and  
10      partnered with us in developing a hospitality  
11      component to their facility.

12             So, in the past two years, we've  
13      consulted with the City and developed that,  
14      and from an area where the hospitality  
15      component was 10 percent of their business,  
16      currently 40 percent of the revenue for Casa  
17      Loma is from the hospitality component of the  
18      facility, not just the tourism and the  
19      paid-for admissions at the door. That was  
20      crucial for the City and Casa Loma, in terms  
21      of its long-term viability, and the result  
22      has been, you know, a facility which will be  
23      here for the long term. The City has now  
24      committed another 20 million dollars in  
25      restoration for the facility itself, based on

1       the projected income that's driven through  
2       the hospitality component.

3           Now, like many historic buildings, Casa  
4       Loma, when it was built in 1911, was out in  
5       the farmlands in Toronto. It was a removed  
6       area, it was a castle, on its own, on top of  
7       a hill, with no neighbors and no homes.  
8       Again, this building now is surrounded by a  
9       neighborhood, and it's a very affluent  
10      neighborhood, and when we discussed the  
11      outdoor dining component here at Casa Loma  
12      and encouraging that to happen and having a  
13      hospitality sector in the castle, many of the  
14      neighbors and residents were concerned, but  
15      we have been able to work with the residents  
16      in the -- near by the castle. We've been  
17      able to work with the City to live in harmony  
18      and to ensure that this historic facility is  
19      open and not boarded up, is viable, and fits  
20      well within the community, and now it's -- as  
21      I said, it's a great facility and used  
22      regularly for hospitality, which is driving  
23      the revenue for this City-owned property.

24           We, as an organization, are committed to  
25      not only our civic duty and the heritage

1 buildings we have, but to say that is one  
2 thing; to be awarded for doing those things  
3 is another. And I've just brought some of  
4 our awards, both from our Premier, from the  
5 City Council, from the City of Toronto, and  
6 you can go through some of those and take a  
7 look at the type of things that Liberty  
8 Entertainment Group has done in Toronto, in  
9 Canada, with historic venues, and hopefully  
10 to do here in Coral Gables.

11 One thing I do want to point out, also,  
12 is the concept of the Doors Open Toronto.  
13 It's something I worked very closely with the  
14 previous Mayor, Mel Lastman, and our current  
15 Mayor, David Miller, in creating a concept  
16 called Doors Open. Once a year, all the  
17 historic buildings in the City of Toronto  
18 open their doors to the public, and we were  
19 instrumental in identifying how important  
20 that is to the City in terms of our heritage,  
21 but how important it is to share those  
22 facilities with the general public. So,  
23 whether it's a restaurant or private function  
24 space or an office building, or even the Don  
25 Jail, which is one of our historic

1       jailhouses, once a year we all come together  
2       and open our doors to have an event called  
3       Doors Open, and we were instrumental in  
4       developing that for the City of Toronto.

5             Those are things we've done. We are  
6       still very involved in the City of Toronto.  
7       I sit on the Mayor's Economic Advisory  
8       Committee, developing concepts and ideas to  
9       bring business to the City of Toronto, but  
10      also work on the Toronto Museum Project,  
11      where we're developing the museum for the  
12      City, and I'm working on the War of 1812  
13      Commemorative Committee, where again it's  
14      taking over heritage sites, like Fort York,  
15      which was built in the early 1800s, and  
16      redeveloping that and raising funds to  
17      maintain that.

18            I just wanted to give you that brief  
19      history in terms of Liberty Entertainment  
20      Group for a couple of reasons. One, to  
21      identify that, you know, in terms of  
22      hospitality, we are one of the biggest  
23      privately-owned hospitality companies in the  
24      City of Toronto, but we have an affinity to  
25      historic sites, and we have had a tremendous



1 relationship with the City of Toronto, and I  
2 think that's one of the reasons we were  
3 awarded this project, in that we understand  
4 the nuances of this City and neighbors and  
5 historic buildings in neighborhoods, and  
6 understand how to deal with them and  
7 understand how to work and live together in  
8 harmony, and that's what we want to do.

9 But one thing that's important, though,  
10 is, the business does have to be viable, and  
11 when we looked at this business here in Coral  
12 Gables and looked at the facility, we think  
13 it's a spectacular facility, it has all the  
14 elements of success and all the elements of  
15 being able to be a contributing part of this  
16 community, but what we found was, in terms of  
17 previous operators and what's happened  
18 before, there was a couple of issues that  
19 were paramount in my mind that contributed to  
20 the failure of this facility and why it's not  
21 open now and why it's not part of the public  
22 and the City.

23 First of all, we believe that a historic  
24 site like that should be part of the public  
25 process. It should be part of the public,

1       the general public, not a private members'  
2       club, that if you can afford it, you can go  
3       and join this club, pay a lot of money, and  
4       be a member. We don't believe that should be  
5       a privilege. We think that a City-owned  
6       property should be open to the general  
7       public, and that's what we intend to do with  
8       this facility. Our rooms are going to be  
9       accessible to the public, and so the citizens  
10      of the City can all enjoy a City-owned  
11      property.

12           Another thing that we felt that was  
13      really a hindrance to the success of this  
14      building was the lack of outdoor facilities  
15      for the building. It's -- I would say it  
16      would be very difficult for any restaurant or  
17      any facility to survive in Southern Florida  
18      without having an outdoor dining area  
19      available to it and available to its patrons.  
20      Without that, I think the facility is going  
21      to have some challenges in working.

22           So the reality is, we've agreed with the  
23      Staff in terms of their recommendations, in  
24      terms of what they feel are necessary to  
25      allow outdoor dining. We've agreed to all of

1       their recommendations, by increasing the  
2       shrubbery and green space, by not -- reducing  
3       the walls, by restricting the number of hours  
4       of operation, and by not having the outdoor  
5       music and so on. But we believe that if the  
6       City would like this facility, which is a  
7       City-owned facility, to have a long-term  
8       viability and life span, a critical component  
9       is outdoor dining, and if that's hindered,  
10      there's going to be -- that facility may end  
11      up being closed on a regular basis.

12             In terms of what we're looking at,  
13      we're asking -- Go to the front of the  
14      building first. We'll start from the cafe.

15             This is the historic part of the building  
16      and is really the only historic part  
17      remaining. The rest of it has been  
18      reconstructed. But we believe that this  
19      should be the entrance to our public  
20      accessible facilities. Our restaurant will  
21      be in this space here, by the pool. A cafe  
22      will be in this area here. But in order for  
23      this cafe to be successful, we would look at  
24      having some seats outside so the public can  
25      come in -- whether they're walking their

1 children or walking their dog or going for a  
2 jog or going to play golf, they can come and  
3 be part of this facility, historic facility  
4 in the City of Coral Gables, and have a  
5 gelato, have a sandwich, have a pizza, and  
6 sit outside in this area here.

7 The restaurant, which is open mainly in  
8 the evening, will have a patio area out in  
9 this area here, again, so that visually  
10 people can see from outside that this is just  
11 across the street from the golf course. We  
12 don't have any immediate residents -- right  
13 in front of the home. On this drawing here,  
14 you'll see that the golf course is right  
15 here, and so there's no neighbors at all in  
16 the sight line of this outdoor area, for the  
17 outdoor dining.

18 The pool area is fully enclosed, so it  
19 won't be visible from outside, but we would  
20 like outdoor dining in this area here, by the  
21 restaurant. So it's just a small portion of  
22 the pool area is where we'd like to have some  
23 seats which overlook the restaurant and  
24 vice-versa, in this pool area.

25 This is the back closed-in area of the

1 facility. Now, outdoor dining is permitted  
2 here, but what we're asking for is the  
3 ability to build a wall and move this unit  
4 here into another area, so that we can open  
5 up this space and have private dining. What  
6 we envision here is, we're going to have  
7 regularly weddings, ceremonies and dinner in  
8 this area.

9 Now, this area is the closest to our  
10 neighbors, where, again, we are allowed  
11 outdoor dining, but we're looking at putting  
12 a trellis and wall. So part of the reason  
13 for putting a wall here is to screen off some  
14 of the noise from the facility. But having  
15 dining here, and we've talked to our  
16 neighbors who were, you know, tremendously  
17 against outdoor dining, in many instances,  
18 and yesterday we presented at the Historical  
19 Board and the neighbor directly across the  
20 street came in and spoke in support of this  
21 outdoor dining, and the reason for that is  
22 very simple. This area, right now, is an  
23 abandoned area. It's probably the most  
24 beautiful outdoor area of the facility, but  
25 nobody ever gets to see it, because that's

1       the receiving area, where the trucks come in,  
2       where they load up their garbage, and where  
3       there's a big air conditioning unit which  
4       makes a tremendous amount of noise, which is  
5       right in here. So it renders this area  
6       virtually useless, but also disturbs the  
7       neighbors tremendously. One, because the air  
8       conditioning unit is very loud; number two,  
9       because of the trash and garbage and the  
10      smell; and number three, because of the  
11      trucks going in, all times of day and in the  
12      evening.

13           Well, the neighbors quickly realized if  
14      we're allowed to have outdoor dining, then we  
15      shouldn't be able to have noise from an air  
16      conditioning disturb our diners, nor should  
17      we have the smell of garbage, nor should we  
18      have the inconvenience of trucks coming  
19      through in the evening, while we're having a  
20      function. So, by allowing this outdoor  
21      dining, by having those functions, we're  
22      almost forced to control it ourselves, in  
23      terms of making sure we reduce the noise from  
24      the air conditioning, we can't have garbage  
25      outside, and all those things. So very

1       quickly, that's a very positive thing for the  
2       neighborhood and a positive thing for the  
3       facility itself, in terms of long-term  
4       viability.

5             This is the -- sorry -- new air  
6       conditioning unit which has just been  
7       installed. So this is about half the volume  
8       of the old system that was in there and about  
9       half the size but it's much more efficient.

10            And the last area we're looking at making  
11       a change to is the porte-cochere area, right  
12       here, and currently, this is the look of the  
13       area. And this is the rear area, and it was  
14       the front area and it's the rear area, so  
15       it's really nondescript as a space, as to  
16       what this is. This will be the main entrance  
17       for the banquet facilities.

18            Now, again, that really alleviates some  
19       congestion for our neighbors in terms of  
20       traffic and people, because this is right  
21       within our parking lot, not on North Greenway  
22       Drive, but what we have here is a wide open  
23       area, where we've got this door, which is  
24       recessed back, and a wall here which was  
25       built this way because of bad construction in

1       a previous renovation. What we'd like to do  
2       is fix this area, so that we have two doors,  
3       side by side, and not in a recessed area.

4       The other thing we'd like to do is,  
5       currently there's a driveway which goes right  
6       in front of the door here, and so we need to  
7       eliminate that driveway, for a couple of  
8       reasons. One is --

9       Can you back it up, Ted?

10       Having a driveway two feet in front of a  
11       door is not very safe and not very  
12       functional, in our mind. So we do have two  
13       driveways in front of the door. If we  
14       eliminate this driveway here, make this a  
15       reception area for people to stand, and we  
16       are going to create two waterfalls on either  
17       side of this driveway, to restrict the  
18       traffic, so that way there's a safety barrier  
19       for people coming and going into the  
20       facility, which is our front door, but it  
21       also creates this beautiful entrance to the  
22       facility itself.

23       Do we have a picture of the waterfall?

24       And this is the style of waterfall we're  
25       intending on putting. It's very similar in



1 terms of design with the building, consistent  
2 with the historical nature of the building,  
3 and will add a tremendous feature, which will  
4 make that rear area, which is not being very  
5 effective, into a very effective composite of  
6 welcoming front door reception for the  
7 banquet facility.

8 And those are the changes we're asking  
9 for at this time.

10 CHAIRMAN KORGE: Just for the record --

11 MR. COE: Mr. Chairman, I have a  
12 question.

13 CHAIRMAN KORGE: -- at the beginning of  
14 the presentation, Robert Behar and Pat Keon  
15 arrived.

16 MR. COE: Mr. Chairman, I have a quick  
17 question for the applicant.

18 The outdoor dining area, is there going  
19 to be any kind of music?

20 MR. DI DONATO: I'm sorry?

21 MR. COE: Music in the outdoor area?

22 MR. DI DONATO: The recommendation from  
23 Staff says there's no outdoor music, and so  
24 we've agreed to that.

25 MR. COE: You agreed to that condition?

1           MR. DI DONATO: Yes.

2           MR. COE: Okay, and one more. The  
3           parking by valet, you're having Fridays and  
4           Saturday nights.

5           MR. DI DONATO: Yes.

6           MR. COE: And they're going to be parking  
7           along the right-of-way at North Greenway,  
8           correct, and also along Granada?

9           MR. DI DONATO: The parking is -- along  
10          North Greenway is valet. We're looking at  
11          here. This is North Greenway Drive. We'll  
12          also have valet within our own parking lot  
13          here.

14          MR. COE: Okay. Outside of your own  
15          parking lot, which I'm not concerned about,  
16          tell me the impact, on which streets.

17          MR. DI DONATO: Outside our parking lot  
18          or the one on North Greenway?

19          MR. COE: So North Greenway is going to  
20          become parked cars by valet on Fridays and  
21          Saturday nights, right?

22          MR. DI DONATO: Well, our intention with  
23          respect to the valet is to -- is to eliminate  
24          more of the congestion and problems that may  
25          occur, because we are a banquet facility and

1       we will have people attending. If we're  
2       going to be open to the public and viable, we  
3       expect to have people there.

4           MR. COE: So people will be coming and  
5       going.

6           MR. DI DONATO: We expect people to come.

7           MR. COE: Right.

8           MR. DI DONATO: So we believe -- now, we  
9       are restricted in terms of the days of the  
10      valet, and we've agreed with the Staff to do  
11      that, but we believe that the valet parking  
12      alleviates most of the problems, because what  
13      would happen if we don't have valet on the  
14      North Greenway Drive area, which is here,  
15      people naturally will park in the closest  
16      areas, which will be along the street, along  
17      the Greenway and so on, and what we believe  
18      is, by not having valet there, it will cause  
19      more disruption in the neighborhood than, you  
20      know, having it there, because -- pardon?

21          MR. COE: Now, you have 40 seats in the  
22      cafe. How about in the actual restaurant  
23      part? How many seats do you envision for  
24      that?

25          MR. DI DONATO: Inside? Well, we haven't

1           increased the capacity of the facility at  
2           all, so we've reduced the capacity in other  
3           areas and reallocated it, so --

4           MR. COE: Oh, I understand, but how many  
5           seats are going to be outside tables?

6           MR. DI DONATO: Oh, a hundred.

7           MR. COE: A hundred?

8           MR. DI DONATO: 60 and 40.

9           Is that correct?

10          MR. COE: 60 outside or 40 outside?

11          MR. DI DONATO: 40 in this area and 60 --

12          MR. COE: You have a hundred. You have  
13          40 in the cafe and 60 in the restaurant  
14          portion?

15          MR. DI DONATO: Yes.

16          MR. COE: Full-service restaurant?

17          MR. DI DONATO: Yes.

18          MR. COE: You're envisioning a hundred  
19          tables outside?

20          MR. DI DONATO: No, number of seats.

21          MR. COE: Number of seats. How many  
22          tables?

23          MR. FAUST: Just divide that by four.

24          MR. COE: Four? Okay, they're all for  
25          four, right?

1 MR. DI DONATO: Yes, sir.

2 MR. COE: No eighths?

3 MR. DI DONATO: They're four-tops, no  
4 eights. No, just four-tops.

5 MR. COE: So there's 25 tables, okay.  
6 Thank you.

7 MR. BEHAR: I've got a question for you.  
8 On the same areas, the outdoor for the cafe,  
9 outdoor for the restaurant --

10 MR. DI DONATO: Yes.

11 MR. BEHAR: -- the tables, are they going  
12 to have any type of umbrella, any type of  
13 shading protection?

14 MR. DI DONATO: We will have umbrellas,  
15 smaller ones, which will be removable.

16 MR. BEHAR: And the reason I'm asking  
17 this, you know, I would hate to see there the  
18 umbrellas you see in -- for example, in  
19 Lincoln Road, which is enormous. So, I mean,  
20 something that is --

21 MR. DI DONATO: No. Our intention is to  
22 provide small shade -- We have an image here,  
23 smaller-sized umbrellas which do not detract  
24 from the building. We believe -- you know,  
25 one of our biggest advantages here is the

1        facility itself, and the historical nature of  
2        the facility.

3            MR. BEHAR: The architecture is very  
4        nice, so we want to make sure we don't --

5            MR. DI DONATO: The architecture is why  
6        we're here, and if I can be so honest, if  
7        this building wasn't the building that it is,  
8        in terms of the historical nature, and it was  
9        a 40,000 square foot box, I probably wouldn't  
10       be here, as an organization, taking on this  
11       project.

12           MR. BEHAR: And the other question that I  
13        have is, you're doing a screen wall against  
14        the service yard, right? It looks like, in  
15        your plan, you're building -- what does that  
16        look like? To separate the drive and your  
17        outdoor seating area.

18           MR. DI DONATO: That wall there will be a  
19        trellis, so basically why we're building that  
20        wall is to add in terms of the visual design.

21           MR. BEHAR: But what does it look like?

22           MR. DI DONATO: It -- Can we have a  
23        picture of the back wall with the columns?

24           MR. FAUST: Yeah. The photographs?

25           MR. DI DONATO: Yeah.

1           If you see this, this is one side of the  
2           wall. What we will be doing is replicating  
3           these columns on the opposite side, along  
4           that wall, so it will be architectural detail  
5           columns, with a trellis above it to provide  
6           greenery. So the design there is more for a  
7           visual impact within the space itself and to  
8           move away from having a solid block wall into  
9           having a wall which is made up of columns and  
10          trellis work.

11          MR. BEHAR: Is that where you have the  
12          colonnade with trellis elevation?

13          MR. DI DONATO: Yes.

14          MR. BEHAR: So you have a wall that is a  
15          four-foot high wall --

16          MR. DI DONATO: Yes.

17          MR. BEHAR: -- and you have columns with  
18          a trellis above.

19          MR. DI DONATO: That's correct. So the  
20          trellis allows us to have greenery, and the  
21          back wall allows us to have greenery grow up  
22          against the wall.

23          MR. BEHAR: But you're not putting  
24          greenery on that trellis, you said before,  
25          right? You're taking the landscape out,

1           but --

2           MR. DI DONATO: No, we will be putting  
3           greenery. That's why we're building the  
4           trellis. The idea there is to create a wall  
5           of trees and bougainvillea and so on, so it's  
6           a very attractive area --

7           MR. BEHAR: You're not showing any  
8           planters, so I mean, how do you do that?

9           MR. FAUST: The planters will be in front  
10          of the columns and then will --

11          MR. DI DONATO: Will grow.

12          MR. BEHAR: I think it would look much  
13          more attractive if you do have some growth,  
14          some, you know, bougainvilleas, some ivy or  
15          something on the trellis.

16          MR. DI DONATO: The whole idea of the  
17          trellis is to provide space for the greenery  
18          so it becomes a green space with flowers, and  
19          that's why we're building the trellis. So we  
20          agree fully with you, and that's -- exactly  
21          what you're saying is what we're trying to  
22          accomplish here by putting the columns and  
23          green space above it.

24          See, that would be the wall, and we've  
25          built the columns in front of it, so it



1 allows us to have a trellis where greenery  
2 can grow on top of it. Otherwise, we could  
3 just build a straight four-foot wall and  
4 divide it out, but we added the column area  
5 and the trellis so we can incorporate  
6 greenery in the space.

7 CHAIRMAN KORGE: Any more questions of  
8 the applicant?

9 MR. SALMAN: I have a few.

10 The wall that actually is going to be  
11 facing Granada, I leave it to the Board of  
12 Architects to decide whether that's going to  
13 be acceptable or not, but I know that you  
14 have a very large tree there and that you're  
15 preserving it. Again, my issue is one of  
16 hours of operation, out of respect to the  
17 residents in the area. You've got a 7:00  
18 a.m. to 1:00 a.m. operating time?

19 MR. DI DONATO: Are you referring to the  
20 Granada side or the North --

21 MR. SALMAN: What I want to do is clarify  
22 what your operation hours for this outdoor  
23 seating area are going to be.

24 MR. DI DONATO: For the restaurant, it  
25 will be at night, and for the banquet

1 facility, we're allowed the outdoor seating,  
2 the same thing, till about midnight or so.

3 MR. SALMAN: Okay. Let's go through it.  
4 The banquet facility will be open till --

5 MR. DI DONATO: Till midnight or --

6 MR. SALMAN: Okay.

7 MR. DI DONATO: Uh-huh.

8 MR. SALMAN: You're allowed till 1:00  
9 a.m. The outdoor seating area, when does  
10 that close down?

11 MR. DI DONATO: For the banquet facility?

12 MR. SALMAN: No, for the other  
13 non-banquet facility seating.

14 MR. DI DONATO: For the restaurant area,  
15 we'd like to go till midnight.

16 MR. SALMAN: Okay. You know that across  
17 the street, we have the Granada Golf Course,  
18 where we have another restaurant.

19 MR. DI DONATO: Yes.

20 MR. SALMAN: My concern is also one of --  
21 not necessarily competition, but how are you  
22 going to differentiate yourself, market-wise,  
23 so that you don't hurt what's out there and  
24 seek a new market for yourself?

25 MR. DI DONATO: I think we'll be able to

1 bring more business to the area, and our  
2 serving style and food style is very, very  
3 different than Burger Bob's, in terms of what  
4 we are offering, in terms of ambience, in  
5 terms of price point. We are -- basically,  
6 our food service components will be a cafe  
7 style. We have a gelato bar --

8 MR. SALMAN: But you're not going to have  
9 the same kind of menu and you're not going to  
10 have the same kind of services or --

11 MR. DI DONATO: We're not going to have  
12 hamburgers, we're not going to have french  
13 fries, we're not going to have grilled  
14 cheese, no.

15 MR. BEHAR: Well, I'm not going there.

16 MR. SALMAN: Well, then, I'm not going to  
17 go there.

18 MR. DI DONATO: Yeah. No, it will be  
19 more of a cafe, gelato, pizza, pressed  
20 sandwiches, a very casual thing.

21 Our objective here -- you know, it wasn't  
22 part of our original plan, but we've  
23 developed this component of it because what  
24 we want to do is be part of the community.  
25 You know, right now, the way the space is

1       designed as a private function space, all  
2       we're doing is fighting the community. You  
3       know, we have all these cars, all these  
4       people coming out, and nobody in -- our  
5       neighbor could never come to the Coral Gables  
6       Country Club if he wasn't a member and enjoy  
7       the facility. He'd just have to sit on the  
8       outside, watching as people come and parking  
9       in cars and so on, and never be able to say,  
10      "I want to go out there and have a latte and  
11      sit outside and talk to my other neighbors."  
12      We've developed this to say, "Look, this  
13      building belongs to the City of Coral  
14      Gables." We should be able to have the  
15      residents just come here and enjoy it on a  
16      regular basis and not have to pay, you know,  
17      a hundred dollars to sit at a table. This is  
18      a very fine -- very fine casual cafe, in an  
19      area where hopefully your neighbors are  
20      walking down the street with their dogs or  
21      walking their babies, or even somebody that  
22      just wants to get a nice espresso, and will  
23      be able to come.

24             This is not a huge revenue generator.  
25      What this is, for us, is more a relationship

1       builder. It's a way to get the community to  
2       say, "We love this place." It's part of  
3       Coral Gables. We want to be part of it. And  
4       that's what's been missing, I believe, in the  
5       previous years. As a private club, only the  
6       private club members seem to enjoy it and  
7       want to be part of it. The regular citizens  
8       don't. So what do we need here? We need  
9       something to say we're giving back to that  
10      community, giving them something that they  
11      can enjoy themselves on a regular basis, and  
12      it's not a huge revenue generator at this  
13      point for us. It's more about that approach.  
14      It's about developing a relationship.

15             When I spoke to my neighbor next door, I  
16      said, "I'd love for you to come over for a  
17      coffee in the morning. Come and have a  
18      croissant, come and have, you know, an ice  
19      cream with your grandchildren." And that's  
20      the kind of neighbors we want to be.

21             MR. SALMAN: My other concern has to do  
22      with the fact that one of the most prominent  
23      architectural features of the building is  
24      that arcade that you're building this outdoor  
25      seating against, and the redefinition of the

1 building from a public point of view, where  
2 it now has a street entrance, where it's  
3 always been sort of downplayed and everyone's  
4 always thought that the main entrance was the  
5 valet entrance off the back.

6 You have valet, and you're going to be, I  
7 guess, receiving cars along North Greenway  
8 and then taking them around into your parking  
9 lot and then delivering them back out towards  
10 there?

11 MR. DI DONATO: Right.

12 MR. SALMAN: Okay. Is this for the  
13 restaurant use or for the banquet hall use?

14 MR. DI DONATO: For the banquet hall,  
15 we'll have valet on the north side, which is  
16 the parking lot side.

17 MR. SALMAN: So the banquet hall, which  
18 is going to be your big, high-load demand,  
19 because everybody is going to be coming for a  
20 specific date, as a group, at one time --

21 MR. DI DONATO: Yes.

22 MR. SALMAN: -- is all in the back?

23 MR. DI DONATO: Yes.

24 MR. SALMAN: Whereas the more --

25 MR. DI DONATO: Yes. Most of the people

1       will be entering the facility through the  
2       north side of the building, and we'll have  
3       valet there, but most people coming to the  
4       building will know that's where they can  
5       park. There will be the signage and  
6       people -- we have hosts --

7           MR. SALMAN: I noticed the architectural  
8       plans. I didn't see a way to get from the  
9       main entrance into the banquet hall, through  
10      that main entrance that you're developing on  
11      North Greenway.

12          MR. DI DONATO: We don't want the people  
13      in the banquet room --

14          MR. SALMAN: I just want to make that  
15      clear, so we understand that you've taken the  
16      effort to divide that restaurant traffic or  
17      that low-volume traffic that you're focusing  
18      on North Greenway, and what is your  
19      high-volume traffic for the banquet hall  
20      along the north.

21          MR. DI DONATO: Absolutely.

22          MR. SALMAN: And the movement of the  
23      valets are to be coordinated between the two.

24          MR. DI DONATO: Absolutely, yes. Again,  
25      the valet on the North Greenway side, to me,

1       helps alleviate problems for the neighbors,  
2       because we believe that when people are  
3       parking, going to a restaurant, and the door  
4       is on North Greenway Drive, they're going to  
5       find the closest parking spot to North  
6       Greenway Drive, which would mean maybe it's  
7       the neighbor's lawn next door, as opposed to  
8       walking around the whole back of the building  
9       and parking in a space which is readily  
10      available. So, by providing valet service,  
11      it alleviates that distance and that walk,  
12      and I believe will alleviate some of the  
13      problems that the neighbors were experiencing  
14      with the previous operator.

15           MR. SALMAN: Now, in our City, we have  
16      certain public buildings that do provide food  
17      service, obviously the Biltmore being the  
18      biggest, and I see what you're trying to do  
19      from a marketing point of view. From an  
20      architectural point of view, with regards  
21      to -- the impact of that seating is a visual  
22      impact towards the neighborhood and the  
23      residential quality of that neighborhood.  
24      It's a very quiet area. I mean, it is a very  
25      quiet area. I would feel more comfortable if



1       your starting times for breakfast were a  
2       little bit later for that outdoor dining.

3               MR. DI DONATO:   I --

4               MR. SALMAN:   Number one, and number two,  
5       I see that from the design point of view, of  
6       the -- of the landscaping, you've actually  
7       created a series of layers to help create  
8       some visual isolation, because honestly,  
9       you're facing the back of another building  
10      from that point of view, and their parking  
11      and their landscaping is going to pretty much  
12      obstruct the view from Granada until you're  
13      just on it.   So you need to sort of create  
14      your own world there, for it to become a  
15      place to be and to get to --

16              MR. DI DONATO:   Correct.

17              MR. SALMAN:   -- and I see the efforts  
18      that you're making, and I understand that, so  
19      that you're -- I want to encourage that and  
20      make sure that that is part of this  
21      agreement, that it's kept that way, for it to  
22      be -- because it does minimize the visual  
23      impact a lot of the seating that you're  
24      proposing outside.   I mean, you've gone to  
25      the effort of enclosing it where possible,

1        putting it behind a wall where the wall's  
2        already existed, and create the landscaping  
3        barriers to isolate it. So you're  
4        accomplishing my first goal, to be a good  
5        neighbor, in that respect. But this is a  
6        commercial enterprise now, it's no longer a  
7        club. So we have to understand that your  
8        need to meet the requirements of good  
9        neighborliness are going to be higher,  
10       because you're now for profit as opposed to  
11       just a club.

12           MR. DI DONATO: And we have considerable  
13       experience in that, and that's why I started  
14       my presentation with our experience with  
15       respect to historic facilities, and  
16       particularly with respect to historic  
17       facilities which are -- you know, at one  
18       time, were probably out alone in the suburbs  
19       or in the farmlands, which are now, you know,  
20       brought into the City because of the period  
21       of time they've been there. So, you know, we  
22       are very in tune with relationships, and as I  
23       said, you know, we started with neighbors  
24       across the street who were objecting to this  
25       process, and having them come here and not

1       only not come to disagree or not approve of  
2       us; they came yesterday to support us on  
3       this, because they looked at us and said,  
4       "This is the kind of operator we want here  
5       and the kind of operator that's going to make  
6       this successful," and if we're successful, if  
7       the building is successful, the neighborhood  
8       is successful.

9           MR. SALMAN: My concern for the morning  
10       issue is that there's a lot of people running  
11       around in the area. It's a very quiet area  
12       in the morning, and that's why people go  
13       there to exercise their rights to enjoy the  
14       open areas that the City provides.

15          MR. DI DONATO: Well, to that point, you  
16       know, to be quite honest, I'd prefer opening  
17       at ten o'clock, because I'm not a morning  
18       kind of guy myself, but the reason for the  
19       earlier time is because we felt that if we're  
20       going to be a facility that's going to be  
21       used by the neighborhood and the people there  
22       in the area --

23          MR. SALMAN: My vision, and what I'm  
24       trying to avoid, is the clanking of plates  
25       and stuff outside before 10:00 a.m., and you

1       said that time, not me, outside the building.  
2       If you want to clank the plates and stuff  
3       inside, that's fine, but don't add to the  
4       noise of the area with that, and that's my  
5       concern.

6           MR. BEHAR:  Isn't that one of the busiest  
7       streets, along this --

8           MR. SALMAN:  I know, but if you're  
9       walking your dog or you're running or you're  
10      stopped, it's going to be like you're walking  
11      behind -- walking in a commercial district,  
12      not a residential district.

13          MR. BEHAR:  I would hate to limit them to  
14      a time, where --

15          MR. SALMAN:  I'm just talking about for  
16      the outside dining.  I'm not talking about  
17      for the whole thing.

18          MR. BEHAR:  Even for the outside, I mean,  
19      I hate to limit them on a specific time, when  
20      maybe the breakfast for them is a very --  
21      could be very successful.  I don't think -- I  
22      mean, today that area is a service yard.

23          MR. SALMAN:  No, there's no question that  
24      this is a huge improvement over what's there.  
25      I'm not saying that it isn't.

1           MR. BEHAR: And I think they're going to  
2           the effort of, you know, buffering it a  
3           little bit, and if you look at the pictures,  
4           it's probably one of the least attractive  
5           areas of the whole facility. So, I mean,  
6           I -- I hear your point, and to some extent I  
7           agree, but I think that I don't know if we  
8           want to, you know, think about limiting them  
9           to ten o'clock, the hours of operation.

10          CHAIRMAN KORGE: I have a question. The  
11          other question in that connection is, who's  
12          being served, for restaurant traffic? I  
13          can't envision people driving from outside  
14          the neighborhood at 7:00 in the morning, to  
15          go to a restaurant in that location.

16          MR. SALMAN: From that particular  
17          operational point of view, it would make more  
18          logical sense. I don't think it's going to  
19          be successful for that. Who's going to go  
20          there, like you say, in the morning?

21          CHAIRMAN KORGE: I think that for  
22          breakfast, except maybe Sunday breakfast,  
23          it's going to be mainly neighbors.

24          MR. DI DONATO: The whole concept here is  
25          about providing a service to the neighborhood

1       and we open at 7:00 a.m. because we've seen  
2       that what happens is, as you mentioned,  
3       there's runners and people jogging and  
4       walking, and our feeling was that that's when  
5       they would probably want to come in and have  
6       a coffee in the morning, and if we're closed,  
7       then we're looking like we're not servicing  
8       the neighborhood. So, you know, in terms of  
9       our revenue, it's not about revenue here.  
10      It's about fulfilling the need for the  
11      community.

12           MR. AIZENSTAT: If people -- let's say at  
13      seven o'clock in the morning, the neighbors  
14      don't go there, they're going to change their  
15      hours, by logic. They're going to go ahead  
16      and say, "Well, why are we going to open at  
17      seven? We might have to open at nine." But  
18      I think that's something that's going to be  
19      based on demand, and I agree with Tom as far  
20      as that at seven o'clock in the morning, this  
21      isn't near offices or anything of that  
22      nature, where people are going to go there  
23      just to have a coffee or so forth. I think  
24      they're going to cater at that time to the  
25      neighbors, to the people that live around

1           there.

2           MS. KEON: People go to Burger Bob's.

3           MR. AIZENSTAT: At seven in the morning?

4           MS. KEON: Yeah.

5           MR. SALMAN: Oh, yeah. They're open --  
6           for breakfast all the time.

7           MR. AIZENSTAT: Is it neighbors that go  
8           there?

9           MR. SALMAN: Yeah.

10          MR. AIZENSTAT: So it's neighbors?

11          MS. KEON: And the people that are coming  
12          downtown.

13          MR. SALMAN: And people who are coming  
14          downtown. There's people on their way to  
15          downtown. It's not a lot of people, but --

16          MS. KEON: Yeah, people that come to play  
17          golf. There's people there, yeah,  
18          absolutely.

19          MR. FLANAGAN: Mr. Chairman, can I ask?  
20          Are the outdoor areas going to be available  
21          to your banquet guests later in the evening?  
22          I notice you have four bridal suites in  
23          there, and I have a bit of a concern this has  
24          gone from a country club to purely a  
25          commercial enterprise, a banquet hall,

1 wedding parties, basically pure commercial  
2 restaurants, in the middle of a residential  
3 district. But will the outdoor areas be open  
4 to those banquet patrons at nine, ten, eleven  
5 o'clock at night, and midnight?

6 MR. DI DONATO: Well, our banquet patrons  
7 are probably going to be within their banquet  
8 facility, and typically banquet facilities  
9 provide for full service in terms of food and  
10 beverage. So it wouldn't make sense that  
11 somebody would walk over to the restaurant  
12 and pay for drinks and coffee if they're  
13 available in their banquet. So I don't think  
14 there's going to be much of a spillover from  
15 the banquet facilities into these  
16 restaurants. The restaurant is basically  
17 going to be something that serves the  
18 community.

19 And in terms of when we looked at the  
20 space, again, in terms of the history in the  
21 past year or so, in developing our restaurant  
22 concept, you know, our initial feeling was to  
23 have just a spectacular building and a grand  
24 restaurant, that we could have made it a  
25 destination restaurant, much like the



1       Rosewater, which has the DiRoNA,  
2       Distinguished Restaurant of North America,  
3       and we have the ability to do that style of  
4       restaurant, but when you've looked at our  
5       presentation the last time through, we've  
6       skewed our menu, we've skewed our pricing,  
7       we've skewed everything that we're doing, to  
8       a more residential neighborhood style of  
9       restaurant. I don't want to be a restaurant  
10      where I'm, you know, bringing people from  
11      Miami and have to advertise outside this  
12      community to fill our facility. The  
13      objective here is to provide a neighborhood  
14      restaurant, where the people in the area can  
15      come, you know, Monday, Tuesday, Wednesday  
16      night, and we're providing more of a  
17      casual -- and it's a European style menu, so  
18      we're going to have pizza, we're going to  
19      have pasta. We're not going to go into  
20      having steaks at \$45 or \$50. Why? Because  
21      we don't believe that's the community --

22               MR. FLANAGAN: Sure.

23               MR. DI DONATO: Not the general community  
24      on a regular basis, and we believe that, you  
25      know, look, we're in the middle of a very

1 residential area, and the only way we're  
2 going to be successful is to really welcome  
3 those people and become a neighbor.

4 MR. FLANAGAN: Right, and a good  
5 neighbor, and I think it's nice to hear that,  
6 because if you're not a good neighbor, then  
7 for sure you're not going to be successful --

8 MR. DI DONATO: Not going to be  
9 successful.

10 MR. FLANAGAN: -- and there's going to be  
11 a litany of complaints, I'm sure, you know,  
12 all the time. But I really am concerned --  
13 I'm not concerned about the morning hours. I  
14 mean, sitting out there, having breakfast,  
15 having coffee, most people are up, showering  
16 and getting ready for work, taking the kids  
17 off to school, whatever it may be. I'm  
18 concerned about nighttime, because we all  
19 know what happens at weddings, or usually  
20 happens at weddings. People are having a  
21 very good time, at a very joyous occasion,  
22 and they may go a little too far, and people  
23 end up outside, drinking, laughing, yelling,  
24 screaming, whatever it may be, and that  
25 really is a concern, I think, for the

1 neighbors at that point, if at eleven o'clock  
2 or midnight, that it is such a quiet  
3 residential area, that if any of that  
4 spillover festivity goes on outside, it  
5 really may have a detrimental effect on the  
6 neighbors.

7 MR. DI DONATO: We as an organization --  
8 I'm sorry. We, as an organization, take, you  
9 know, our neighborhood and our relationship  
10 with the neighborhood very seriously, and so,  
11 you know, the kind of description you're  
12 providing with respect to people and patrons  
13 yelling and screaming and having such a good  
14 time, well, first of all, with respect to  
15 liquor license liability, we don't want that,  
16 because we don't serve to intoxication in any  
17 of our facilities. But also, we will have  
18 security, and, you know, if there's a need  
19 for it, we will do that.

20 Part of our portfolio, outside of this,  
21 which I haven't shown, in terms of Liberty  
22 Entertainment Group, is a nightclub  
23 portfolio, and, you know, we understand  
24 security, we understand how to work with our  
25 neighbors and how to, you know, work in terms

1 of noise issues and keeping our patrons  
2 quiet, in a very polite way, but listen, the  
3 quiet enjoyment for our neighbors is as  
4 important and more important than our  
5 liability and our success in making extra  
6 dollars. So, if we're bothering our  
7 neighbors late at night, we'll do something  
8 about that, and that's, as an organization,  
9 how we operate.

10 MS. KEON: May I?

11 CHAIRMAN KORGE: Yeah, Pat.

12 MS. KEON: I think that it is -- it's  
13 lovely, and I think it will be wonderful, and  
14 I don't have any issue at all with the  
15 outside Colonnade Plaza or -- The only thing  
16 I do have some grave concerns with is this  
17 outdoor dining that's along North Greenway  
18 Drive, this -- with the Liberty Cafe and the  
19 outdoor restaurant dining, these two that sit  
20 in front of the arches, in the most historic  
21 part of that building. There is -- there is  
22 virtually no green space around this facility  
23 now, except for that area in front of the old  
24 historic part of it. I mean, otherwise, it's  
25 all concrete.

1           I would not like to see that green space  
2           lost and occupied by pavers and tables and  
3           umbrellas or anything else. I wouldn't like  
4           to see anything that disrupts the appearance  
5           of that arcade from the general public. I  
6           think it's what defines the City,  
7           architecturally. Although the Mediterranean  
8           architecture really is such a small, tiny  
9           component of the City, it is yet what defines  
10          the City. It's when people think about Coral  
11          Gables, that's what they think, although the  
12          vast majority of the homes have no  
13          Mediterranean characteristics in them at all,  
14          but that particular area is what truly -- it  
15          defines that building, it defines the City,  
16          and it is the only green space that currently  
17          exists for that whole facility. You know,  
18          despite that there's a golf course across the  
19          street, that's the only part that exists,  
20          particularly that part in front of that --  
21          the arched -- Greenway, and I don't -- you  
22          know, when you do this, you end up now with a  
23          setback of not even 10 feet, it looks like,  
24          between the sidewalk and where you would  
25          start your cafe or something.

1           I mean, I think all of it is wonderful  
2           and I would support all of your -- but I  
3           would really -- I would really like this  
4           Board to really look seriously at allowing  
5           this outdoor dining in that green space that  
6           exists there, and how really pertinent that  
7           is to your operation. You have that Liberty  
8           Cafe there. I mean, even if there was a very  
9           small area, a few or a couple of tables right  
10          outside that door, maybe, as it makes the  
11          corner. If you need something to indicate to  
12          people that they're welcome to come in,  
13          that's fine. Is that -- Is this Liberty Cafe  
14          accessible from Granada or North Greenway, or  
15          do you have to come into the facility to be  
16          able to get into the Liberty Cafe?

17          MR. DI DONATO: You have to come in  
18          through the center door from North Greenway  
19          Drive to get into the cafe.

20          MS. KEON: And enter into the outdoor --  
21          in the outdoor --

22          MR. DI DONATO: Outdoor, we have a door  
23          which just goes around the side of the cafe.

24          MS. KEON: So you have to come into the  
25          cafe first?

1           MR. DI DONATO:  Yes.

2           MS. KEON:  You have to come into the  
3           building, before you can access the outdoor  
4           eating area, anyway?

5           MR. DI DONATO:  You would have to, but  
6           you can go right to the seating area, but for  
7           the cafe, it's a self-serve area, so I don't  
8           think people are doing that.

9           MS. KEON:  Okay.  I really -- I really --  
10          I really object to this outdoor seating  
11          area --

12          MR. DI DONATO:  If I may --

13          MS. KEON:  -- in front of that segment of  
14          the building.

15          MR. DI DONATO:  I understand your  
16          concern, and I think the Staff had some  
17          concerns, also, and that's why their  
18          indication was additional shrubbery and  
19          hedging right around, so the perception, when  
20          you're standing away from the building, would  
21          be there's more green space than there is  
22          now, based on that.  So, you know, we'll have  
23          more florals, and as a result, we'll have --  
24          you know, the building will look like there's  
25          more green space than there is, and a quick

1       example, this is not an area that's taken  
2       care of. This is our fountain area that's  
3       existing, and actually, now it's gone because  
4       they're -- they've remediated the area for  
5       contamination, but they will put it back, I  
6       hope. But you look at this and you see the  
7       greenery. Part of the allure of being  
8       outside is having the greenery, so we're  
9       going to do a lot of work in terms of  
10      maintaining that and increasing that, so  
11      around the perimeter we're going to have  
12      shrubbery which will be higher, so you don't  
13      see just tables, and along the wall we're  
14      going to have more greenery, but the most  
15      important --

16           MS. KEON: But then you also are  
17      blocking -- if you have that much greenery,  
18      and you have the height so you don't see the  
19      tables, then you also don't see the arcade,  
20      or you don't see the arching and the windows,  
21      and you lose the whole impact of that whole  
22      Mediterranean architectural design that truly  
23      defines, for the community and for the  
24      neighborhood, that building.

25           MR. DI DONATO: Part of the discussion



1       with the Historical Board, who approved this  
2       yesterday, they had that concern, but the  
3       reality is, when you look at that, our  
4       lighting is going to be all up, lighting that  
5       whole building, so the architectural details  
6       of that building will be highlighted.

7               So we're talking shrubbery along the  
8       bottom, and grass. We're going to highlight  
9       the historical component of the building,  
10      which is the front of it, but also, what  
11      we're doing is providing the people an  
12      opportunity to sit by it and actually  
13      appreciate the architectural details, as  
14      opposed to driving by every day or never  
15      having a reason to stop by and look at it,  
16      because I would assure you that most people  
17      just drive by and never stop to enjoy it, and  
18      I would think that --

19             MS. KEON: I've lived in the neighborhood  
20      for 30 years.

21             MR. DI DONATO: I think people being able  
22      to sit by there, in that garden area, would  
23      be, you know, a way to enjoy it further, and  
24      as I said, the Historical Board seemed to  
25      agree with that and passed it yesterday. And

1       again, we are increasing the greenery and  
2       shrubbery in the area. We are lighting up  
3       the building in the evening, so it's visible  
4       in the evening time, and aesthetically, it's  
5       going to have a garden feel. That's what we  
6       want. Otherwise, you know, if we wanted  
7       concrete, we'd put it on the parking lot,  
8       but, you know, it's that mix of the  
9       architecture and the greenery that will make  
10      that area very pleasant for people to want to  
11      sit in.

12           MS. KEON: Well, you already have outdoor  
13      seating here, garden seating, for the "Nove  
14      Nove 7" restaurant. You have that outdoor.  
15      You have the Liberty Cafe. Even if you have  
16      a small patio over on that side, coming off  
17      those doors, that's fine, but you still  
18      haven't said anything that would in any way  
19      affect my objection to that loss of green  
20      space in front of that building and the  
21      inability for the community to have a full  
22      sight of that, those details of that  
23      building. That's all. Thank you.

24           MR. FLANAGAN: Do you know what the  
25      setback and encroachments are currently,

1       before you add the brick pavers for the  
2       outdoor seating?

3             MR. DI DONATO:   In what area?

4             MR. FLANAGAN:   On North Greenway and on  
5       Granada.

6             MR. FAUST:   That's 35 feet on North  
7       Greenway.

8             MR. DI DONATO:   35 feet on North  
9       Greenway.

10            MR. FLANAGAN:   That's the requirement.  
11       Do you know what -- Is there any encroachment  
12       now, or no?

13            MR. FAUST:   Yes, there is a  
14       non-conforming existing use.   The whole  
15       Garden Grill is beyond the setback line now.  
16       If you look there, you'll see the 35-foot  
17       setback line.   This whole facility sits  
18       beyond the 35-foot setback line.

19            MR. FLANAGAN:   Okay.   Are you increasing  
20       the setback encroachment with what I think is  
21       the Liberty Cafe, from what it is now?   The  
22       fact that it's -- what I think is the Liberty  
23       Cafe, you end up with nine feet, 10 inches  
24       from North Greenway.

25            MR. DI DONATO:   In terms of the pavers

1           only. So it's the pavers, not anything else.  
2           We're not building anything.

3           MS. KEON: But then it's the shrubbery in  
4           front of the pavers.

5           MR. DI DONATO: Right, and shrubbery.

6           MS. KEON: And shrubbery, that creates a  
7           visual wall.

8           MR. FLANAGAN: Right. So it's an  
9           increase in the setback encroachment. And  
10          then what about -- Landscaping, right now, I  
11          know what the required is. What's the actual  
12          landscaped open space right now?

13          MR. DI DONATO: It's not very nice at  
14          this point. Most of the grass is dead, in  
15          that it hasn't been maintained.

16          MR. FLANAGAN: But assuming it was  
17          maintained and it was there, it's at least  
18          permeable surface. Do we know what  
19          percentage it is right now?

20          MR. DI DONATO: Do you know a percentage,  
21          Ted?

22          MR. FAUST: Well, we haven't done the  
23          calculations yet, but we know the total  
24          landscaped area now is about 17 percent, and  
25          I think before -- that's with the

1 improvements. Without the improvements, it's  
2 only about 15 or 16 percent. So we're only  
3 talking that much.

4 MR. FLANAGAN: I'm sorry, I'm confused.  
5 As proposed, if this is approved, landscaped  
6 open space goes to, according to a  
7 recommendation I have, 17.8 percent?

8 MR. FAUST: Correct.

9 MR. FLANAGAN: And you think right now,  
10 it's less than that? I heard you say 15  
11 percent, give or take.

12 MR. FAUST: Oh, excuse me. I think the  
13 existing right now is about 18 percent, and  
14 so we're only impacting it slightly with this  
15 addition. You know, the actual requirement  
16 is to have 30 percent, but as it exists now,  
17 it's not 30 percent. It's about, I think, 18  
18 percent.

19 MR. CARLSON: Yes, that's correct.

20 MR. FAUST: I think that's about right.

21 CHAIRMAN KORGE: Is it possible to get it  
22 to 30 percent?

23 MR. FAUST: Well, not without taking out  
24 parking and other improvements that are  
25 there.

1           MR. FLANAGAN: I heard from Mr. Carlson,  
2           from what he understands, right now  
3           landscaped open space is a little over 18  
4           percent, and this takes it down to 17.8.

5           MR. CARLSON: That's correct.

6           MS. KEON: That's basically -- Look at  
7           the picture.

8           MR. AIZENSTAT: Just a question I have.  
9           For the valet that you're going to go ahead  
10          and do for the restaurant --

11          CHAIRMAN KORGE: Excuse me for  
12          interrupting for a second, but we're going to  
13          lose one of our Board members in just a few  
14          minutes, so if we could talk a little faster,  
15          move this along, I don't want to lose Jack,  
16          but he's got to go at 7:30.

17          MR. AIZENSTAT: For -- as I was saying,  
18          for the restaurant where you're providing  
19          valet parking, how do you provide for the  
20          stacking of the cars as they come to your  
21          restaurant?

22          MR. DI DONATO: There's parking right in  
23          front of the restaurant, just to the east,  
24          and we would propose doing that in this area.

25          MR. FAUST: Back one.

1           MR. DI DONATO: Back one. In this area  
2           here.

3           MR. AIZENSTAT: So very similar to the  
4           way they do valet parking on Miracle Mile  
5           right now?

6           MR. DI DONATO: On Miracle Mile, yes, so  
7           that way --

8           MR. AIZENSTAT: When you pull in, you'll  
9           have service.

10          MR. DI DONATO: You pull in, there's lots  
11          of valets. So the cars pull in here so  
12          they're not obstructing the street, and the  
13          valets take them out so there's always a  
14          space for somebody to come in.

15          MR. AIZENSTAT: Thank you.

16          CHAIRMAN KORGE: Any more questions for  
17          the applicant? Then we'll open it up to the  
18          public, for any testimony from the public.

19          MR. DI DONATO: If I may make one last  
20          statement.

21          CHAIRMAN KORGE: Oh, I'm sorry. Go  
22          ahead.

23          MR. DI DONATO: Again, I just would like  
24          to reiterate that having a facility of this  
25          nature and this size for -- in Florida, and

1       not providing outdoor seating, is really the  
2       kind of thing that would make this very  
3       difficult to make a viable business out of  
4       it, and I think it's in the interest of the  
5       community, more so than anything else, which  
6       is paramount, to have this facility up and  
7       running and being successful, as opposed to,  
8       you know, closing down all the time. And as  
9       I said, when we looked at, in our analysis of  
10      why the previous operators didn't succeed, a  
11      big component of that was not having that  
12      outdoor seating, which they didn't apply for  
13      last time because of a concern with not  
14      getting it passed. We're here asking for  
15      your understanding of that and hoping that  
16      this can be a successful and viable  
17      operation. Without this component, it's  
18      going to be very challenging.

19           MS. KEON: Excuse me, could I ask again,  
20      the total number of seats you have?

21           MR. DI DONATO: In the whole facility?

22           MS. KEON: What did you say?

23           MR. DI DONATO: 600 -- it's almost 800.

24           MS. KEON: Okay, so you think this loss  
25      of, what, 20 some -- 20 tables or



1 something --

2 CHAIRMAN KORGE: 25 tables, 50 seats.

3 MS. KEON: -- 23 tables that sit across  
4 the front here on North Greenway would so  
5 damage your business that you wouldn't be  
6 able to operate successfully?

7 MR. DI DONATO: I would think that not  
8 having the outdoor areas in the front will  
9 not -- if you'd like me to answer the  
10 question --

11 MS. KEON: I said only those just on  
12 North Greenway. I'm not talking about any of  
13 the other outdoor dining.

14 MR. DI DONATO: If you do not have the  
15 outdoor area in the cafe, that cafe will not  
16 be successful and will close. If you do not  
17 have the outdoor area for the restaurant, the  
18 restaurant will not be successful and will  
19 close. The alternative is to make it a  
20 private function space, which it would work,  
21 and to be quite honest, perhaps, from our  
22 perspective, if we made that restaurant space  
23 a private function space, we may make more  
24 money at it, but then it becomes a closed  
25 space, not open to the community whatsoever,

1       and that's the challenge that we have, and I  
2       believe that it's important to have this  
3       space accessible to the community with  
4       restaurants.

5               So, in terms of viability of the  
6       operation and in terms of it being part of  
7       the community, if we don't have the outdoor  
8       dining, then the community will not be able  
9       to use this facility. As I said, you know,  
10      we can make this just a private banquet space  
11      and -- including the restaurant, and perhaps  
12      make more money, because when you're charging  
13      for a banquet space, it's \$150 a head, and  
14      for a restaurant, we're at about 35 to \$40 a  
15      head. I had this discussion with one of my  
16      team today, as to why we're doing a  
17      restaurant in that space instead of a private  
18      function space, and my answer to them was,  
19      because of our relationship with the  
20      community. My general manager, coming in,  
21      says, "This is the nicest space in the  
22      facility. Why not make it another private  
23      room where we can do 150 people for banquets  
24      and would do that three times a week?"

25             And my response was, "We need to be part

1 of the community to be successful in the  
2 community," and that's why we need the  
3 outdoor dining, because it's a restaurant for  
4 the public. If we don't have that, that  
5 restaurant will not succeed.

6 CHAIRMAN KORGE: Thank you.

7 MR. AIZENSTAT: Thank you.

8 CHAIRMAN KORGE: Has anybody signed up  
9 from the public to speak on this application?

10 MS. MENENDEZ: Yes. Vincent Damian?

11 MR. DAMIAN: Good evening. I'm Vincent  
12 Damian. I live at 1115 North Greenway Drive.  
13 I'm six homes from the Country Club.

14 I heard you say you've reached out to the  
15 neighbors. I'm six stories -- six homes  
16 down. Nobody reached out to me. I have a  
17 lot of comments. I would have made a lot of  
18 comments to you, I certainly would have  
19 cooperated with you, but nobody asked my  
20 opinion. So I'm going to give it now.

21 Like Ms. Keon, I like the whole project.  
22 I'd rather not have a commercial  
23 establishment in my neighborhood, but I look  
24 at practicalities of keeping that building.  
25 It's a historic building. It's a beautiful

1 building. I want to keep it. And I'd like  
2 to assist these people. I'd like to go along  
3 with it. I'd like to use the facility. But  
4 there are some major, major objections.

5 First, I'd like to clear up something  
6 that's a little bit confusing. You've got a  
7 Liberty Cafe, which is the area directly in  
8 front of the historic front of the building,  
9 and then you've got outdoor dining in that  
10 beautiful area on Granada Boulevard. So  
11 you've got the Liberty Cafe on North Greenway  
12 Drive, and then you have that area over on  
13 Granada Boulevard. Correct?

14 MR. DI DONATO: Yes.

15 MR. DAMIAN: And the total number of  
16 tables on the North Greenway and the Granada  
17 Boulevard outdoor dining is how many?

18 MR. DI DONATO: Number of people,  
19 approximately --

20 MR. DAMIAN: I can't hear you.

21 MR. DI DONATO: The total number of  
22 people is approximately 250 in the combined  
23 area, for outdoor dining.

24 MR. DAMIAN: 250 in the outdoor dining  
25 area?

1           MR. DI DONATO:   Yes.

2           MR. DAMIAN:   How many on the North  
3   Greenway, what you call the Liberty Cafe?

4           MR. DI DONATO:   40.

5           MR. DAMIAN:   All right, 40.   So 260 and  
6   40?

7           MR. DI DONATO:   No.   That was total.

8           MR. DAMIAN:   260, and 40 is included in  
9   that 260?

10          MR. DI DONATO:   Yes.

11          MR. DAMIAN:   So, if you took the 40 out,  
12   you'd be talking of still having 220  
13   outdoors?

14          MR. DI DONATO:   Yes.

15          MR. DAMIAN:   Okay, that's what I thought.

16          MS. KEON:   That's seats, not tables.

17          MR. AIZENSTAT:   Is that tables or seats?

18          MR. DAMIAN:   No, that's seats.

19          MS. KEON:   Seats.

20          MR. DAMIAN:   That's seats.

21          MR. DI DONATO:   Number of people.

22          MR. AIZENSTAT:   Oh, because you were  
23   saying tables.

24          MR. DAMIAN:   Then I apologize.

25          MR. AIZENSTAT:   Because I was like,

1           that's a lot.

2           MR. DAMIAN:   Because I was -- no, no,  
3           it's seats.

4           MR. AIZENSTAT:   Right.   Divided by four  
5           is what they're doing.

6           MR. DI DONATO:   Only 40 of those will be  
7           available --

8           MR. DAMIAN:   Correct.

9           MR. DI DONATO:   -- to the general public,  
10          though.   That's why you need to  
11          differentiate.   The seating on the Granada  
12          side is for private functions only.

13          MR. DAMIAN:   The outdoor seating?

14          MR. DI DONATO:   The outdoor seating on  
15          Granada will be for private functions only.  
16          So the only seats available for the general  
17          public will be the ones on the North Greenway  
18          side.

19          MR. AIZENSTAT:   Which is 40?

20          MR. DI DONATO:   40, and the  
21          restaurant's --

22          CHAIRMAN KORGE:   Ten?

23          MR. AIZENSTAT:   60.

24          MR. DI DONATO:   60.

25          MR. DAMIAN:   Now I'm confused again.   Let

1 me get this right.

2 MR. AIZENSTAT: 40 plus 60 seats.

3 MR. DI DONATO: 60 seats. It's a hundred  
4 people.

5 MR. AIZENSTAT: Four-tops is what you're  
6 doing, divided by four?

7 MR. DI DONATO: Yes.

8 MR. DAMIAN: Now I'm really confused.

9 MR. DI DONATO: 25 tables.

10 MR. DAMIAN: Let's do this again. The  
11 Liberty Cafe is on North Greenway Drive.

12 MR. DI DONATO: Yes.

13 MR. DAMIAN: How many seats do you  
14 envision there?

15 MR. DI DONATO: 40 seats outside of that  
16 area.

17 MR. DAMIAN: Okay, and you're saying that  
18 those 40 seats will never be used except for  
19 a public -- a function?

20 MR. DI DONATO: No. The Granada one, on  
21 the Granada side, the first ones you  
22 identified, those are for private functions  
23 only. They're behind the wall and accessible  
24 only from the north side, and for private  
25 functions.

1           MR. DAMIAN: I just want to get it clear.  
2           So it's 40 seats we're talking about on the  
3           Granada -- on the North Greenway side?

4           MR. DI DONATO: For the cafe.

5           MR. DAMIAN: For the Liberty Cafe.

6           MR. DI DONATO: Yes.

7           MR. DAMIAN: 40 seats?

8           MR. DI DONATO: Yes.

9           MR. DAMIAN: Okay. I object to that. I  
10          object very strongly to that. The neighbors  
11          object very strongly to that. We do not  
12          need --

13          MR. DI DONATO: If I can make a  
14          comment --

15          MR. COE: Mr. Chairman -- Mr. Chairman, I  
16          really object to this back and forth between  
17          the applicant and someone who's giving a  
18          presentation. I would like Mr. Damian to  
19          give his presentation and then sit down.

20          CHAIRMAN KORGE: Okay. Okay, thank you.

21          I appreciate your answering his question,  
22          but let Mr. Damian finish.

23          MR. DAMIAN: Yeah. Well, I only wanted  
24          that question answered, because I was  
25          confused and I think everybody else was, too.



1           It's only 40 seats on North Greenway, and I  
2           don't think the viability of the whole --

3           MS. KEON: No, it's 40 seats and 68  
4           seats.

5           MR. DAMIAN: I'm again more confused.

6           MR. COE: No, it's 40 and 60. There's a  
7           hundred outdoor seating, in total.

8           MR. DAMIAN: But we have outdoor seating  
9           on North Greenway and Granada.

10          MR. BEHAR: How difficult really --

11          MS. KEON: Did they change this?

12          MR. BEHAR: Once and for all, you've got  
13          40 for the Liberty Cafe, 60 for the  
14          restaurant. That's all, that's it.

15          MR. DAMIAN: I thought he said --

16          MR. BEHAR: A hundred, total.

17          MR. DAMIAN: I thought he said 240.

18          MR. BEHAR: No. As you're concerned,  
19          only a hundred, total.

20          MR. DAMIAN: Okay. All I'm concerned  
21          about is North Greenway Drive, that is not  
22          only outdoors, but is totally unenclosed.  
23          And of course I don't want it enclosed,  
24          because it's the most -- one of the most  
25          beautiful buildings we have in Coral Gables,

1       one of the most historic, and that is the  
2       front of the Country Club, and that's the  
3       part that survived the fire. I don't want  
4       tables in front of it. I don't want  
5       umbrellas in front of it. I don't want any  
6       obstructed view in front of it. I live there  
7       in that neighborhood for that very reason,  
8       for the historic buildings that we have  
9       there, my house being one of the historic  
10      buildings, built at the same time as the  
11      Country Club. That's one of the most  
12      beautiful areas in Coral Gables. We do not  
13      need our neighborhood improved by this  
14      development. It's not an improvement. It  
15      is a concession that we will make, and I'll  
16      go along with it to keep an historic building  
17      there.

18           We are in a residential area. It is  
19      zoned residential. That building and that  
20      land is zoned residential. It is subject to  
21      a special use for a country club, not for  
22      commercial use, for a country club, and the  
23      restrictions on its use have been very, very,  
24      very severe over the years. We're here today  
25      to open up those restrictions and make a

1 commercial establishment, and I grit my teeth  
2 at it, and I don't like it, but again, I'm  
3 willing to make a concession and I know the  
4 neighbors are willing to make a concession to  
5 preserve that historic building. We are not  
6 willing to allow outdoor dining, totally and  
7 completely unenclosed.

8 As far as the facility on Granada  
9 Boulevard, I have gone to functions there. I  
10 have enjoyed it very much. I think it's  
11 beautiful. I wouldn't even mind an expansion  
12 of it. It's magnificent, the fountain there,  
13 the outdoor area. Summertime, it's probably  
14 not usable, but most of the year it's  
15 spectacular. But to have total outside  
16 dining there, with waiters going around  
17 and the lighting, the dishes, the whole  
18 thing, the porters, everybody else going  
19 around -- absolutely, completely unacceptable  
20 to the neighbors.

21 And again, we're treading on very, very,  
22 very careful ground here, going from a  
23 residential area with a special use, going to  
24 commercial, and then getting into allowing  
25 the umbrellas, the tables, and everything

1        else in front of the building, so I -- I  
2        think we have to make it absolutely clear, go  
3        ahead and approve it, I'll go along with it,  
4        but we will not allow outdoor dining on North  
5        Greenway Drive, period. There's loads of  
6        other spaces. You've got the swimming pool.  
7        You've got the side area. You've got loads  
8        of places for outdoor dining. I'm totally in  
9        favor of it and I'm looking forward to  
10       enjoying it. I particularly like the  
11       idea of -- I run around the golf course every  
12       morning. Having a latte by the side of the  
13       swimming pool, outdoors, very enjoyable. Not  
14       on North Greenway Drive, and I ask you each  
15       to preserve this very historic building, this  
16       very historic structure, and protect the  
17       neighborhood from a commercial establishment  
18       on the outside that would be so obvious. So,  
19       approve it, but make it very clear, no  
20       outdoor dining on North Greenway Drive.  
21       Thank you.

22           CHAIRMAN KORGE: Thank you.

23           Call the next witness, please.

24           MS. MENENDEZ: Dan May.

25           MR. MAY: Good afternoon. My name is Dan

1        May. I live at 808 Majorca, seven blocks  
2        away from the club, and I know you gentlemen  
3        have got a -- and lady, you've got a big  
4        decision here to make about this outside  
5        parking -- I mean, this outside dining, which  
6        I'm not going to speak on here because you've  
7        already had three shots at it. Mr. Bornstein  
8        asked for it. We denied it. We denied it in  
9        the report -- in the contract we signed three  
10       months ago. When we signed at that time, it  
11       was okay not to have it, and now you're back  
12       looking at it for the third time. So I wish  
13       you all well on that.

14       The point that I'm here for is the  
15       parking. We did a bad -- we did a job that  
16       was improper, didn't work well with  
17       Mr. Bornstein, even though he was kind of a  
18       laid-back operator and didn't have too much  
19       business, and we still had problems. But I  
20       have a different opinion of our new tenant  
21       here. I think he's going to be a hotshot and  
22       he's going to have lots and lots of cars, and  
23       we need to cover -- we need to change our  
24       parking system to match his operation.

25       Now, if you look back at our -- back into

1       our ordinances, we've got a little rule there  
2       about how the tenant is supposed to get up in  
3       the morning and envision how many cars are  
4       coming, and then if he envisions over 114,  
5       well, then he orders the valets. If he  
6       don't, he doesn't order the valets. And then  
7       we say, well, how many spaces do we have, and  
8       we say, well, it's based on square footage.  
9       It's also based on somebody's analysis of the  
10      zoning. And these kinds of rules are good  
11      downtown. Our Staff has to have those kind  
12      of rules because we want to treat everybody  
13      downtown equally. But in this case, we need  
14      some personal opinions from you folks to  
15      determine that this building is not like the  
16      ones downtown. Downtown is a business area.  
17      They're all next to each other.

18           What we have here is a business that's  
19      out in the residential area, out in the --  
20      it's by itself. It's sitting out here alone,  
21      totally surrounded by houses. So, just like  
22      a ship at sea, you've got to be able to take  
23      care of everything on your own. So the club  
24      is here. It needs to take the responsibility  
25      for parking all the cars that come. We need

1       to have in the ordinance somewhere that the  
2       tenant agrees to properly park all comers,  
3       because if the crowd becomes big, the fact  
4       that there's only so many square feet or  
5       there's a -- someone did a zoning analysis  
6       somewhere, who knows when, and decided they  
7       only need so many parking spots, that the  
8       club cannot just meet that requirement and  
9       then let everybody else fight for themselves.

10      We need to make it a requirement of the  
11      tenant to take care of all comers, all the  
12      cars that come to the place, and this is  
13      unique, because we're sitting in a real  
14      estate in a single-family residential  
15      section.

16             So I'd ask that you either replace those  
17      other rules, but it would be more preferably  
18      to add to it that the tenant has a  
19      requirement to park -- to park all comers.

20             Now, the Staff dug down in the rules  
21      somewhere and they said -- okay, so we had 40  
22      tables on the left, 60 tables on the right --  
23      chairs, and I think 140 tables back in the  
24      service area. And they come up with another  
25      rule that says they don't require any

1 additional parking. And so they don't want  
2 to put in the rule that you have additional  
3 parking because of all this. So I think we  
4 need to, you know, try to override all that  
5 and come up with a simple suggestion. The  
6 tenant must park all comers. No one else  
7 generates traffic in that area. I mean, it's  
8 true, Burger Bob's generates traffic, but  
9 they've been there unchanged for umpteen  
10 years. The golf course has been there since  
11 '25, and they have a certain amount of cars,  
12 and so if you're going to have any new cars  
13 to the area, it's going to be because of some  
14 activity within the club, and so I would like  
15 you gentlemen to see if you cannot put the --  
16 set this thing up so that the club is  
17 responsible for all new comers, and that's my  
18 only story, and I wish you gentlemen well,  
19 and lady. Thank you.

20 CHAIRMAN KORGE: Thank you.

21 MR. COE: Thank you, Mr. May.

22 CHAIRMAN KORGE: Call the next witness.

23 No more witnesses?

24 MR. BEHAR: Can I ask a quick question?

25 How many parking spaces do you currently have



1 in your premises?

2 MR. FAUST: 124.

3 MR. CARLSON: There's 114 on-site.  
4 There's 10 which is in the City parking lot  
5 directly adjacent, which they also use, for a  
6 total of 124.

7 MR. FLANAGAN: Then how many spaces are  
8 available in the off-site lots 1, 2, 3 and 4?

9 MR. CARLSON: 78. There's a -- In 2002,  
10 there was a parking -- a use agreement  
11 between -- that was required as a condition  
12 of approval, a use agreement between the City  
13 and the operator of the facility for  
14 additional parking, for when the additional  
15 parking was necessary for larger events.  
16 That agreement was finalized, and it provides  
17 an additional 78 parking spaces available to  
18 the facility. So there's a total of 202  
19 spaces available.

20 MR. AIZENSTAT: Where are the additional  
21 spaces?

22 MR. CARLSON: These are down -- These are  
23 generally in the area of the Granada Golf  
24 Course parking lot and the parking -- which  
25 is the off-street parking available along

1 Granada. And that's available for valet  
2 parking for any events where over 120 cars  
3 are anticipated.

4 MR. COE: Wally, that's only available  
5 when the golf course is closed. Otherwise,  
6 on the weekends, if you have a wedding,  
7 you're not going to be valeting when people  
8 are parking to use the golf course.

9 MR. CARLSON: That's correct.

10 MR. COE: Okay.

11 Have we closed the public comment,  
12 Mr. Chairman?

13 CHAIRMAN KORGE: There are no more  
14 witnesses, yes, so --

15 MR. DI DONATO: May I make one more  
16 comment?

17 CHAIRMAN KORGE: I'm sorry?

18 MR. DI DONATO: May I make one more  
19 comment?

20 CHAIRMAN KORGE: Please.

21 MR. DI DONATO: My apologies, Mr. Coe,  
22 for standing up earlier and interrupting. I  
23 just wanted to make one correction. The  
24 gentleman before came up and said all the  
25 neighbors are upset about this outdoor dining

1           and they're all objecting, but unfortunately,  
2           they're not here. This was a public forum  
3           where people, if they had objections, should  
4           come. I only see one neighbor here who's  
5           objecting, and I only stood up because he was  
6           saying all the neighbors object, and I don't  
7           think he should be saying that unless he has  
8           a petition of some sort or --

9           MR. COE: We understand that.

10          MR. DI DONATO: Yeah. I'm just sorry,  
11          that's why I stood up, when he said all  
12          neighbors.

13          CHAIRMAN KORGE: Thank you.

14          No more questions of the applicant. I'll  
15          open it for discussion.

16          MR. AIZENSTAT: I'd like to ask a  
17          question to the Assistant City Manager, if I  
18          may, or a couple questions.

19          Can you bring me up to date --

20          MS. JIMENEZ: Good evening. For the  
21          record, Maria Jimenez, Assistant City  
22          Manager.

23          MR. AIZENSTAT: Thanks, Maria. Up to  
24          date, how long has the building been sitting  
25          empty?

1           MS. JIMENEZ: I think it's going to be  
2           over a year. Actually, I think it was last  
3           April when it closed, so it's been over a  
4           year.

5           MR. AIZENSTAT: Over a year. What would  
6           you say is the cost that it's running the  
7           City to maintain that building currently, on  
8           a yearly basis?

9           MS. JIMENEZ: That's a great question,  
10          and I don't have the answer to it.

11          MR. AIZENSTAT: Can you estimate? Any  
12          idea?

13          MS. JIMENEZ: No. I'm sorry. It's  
14          maintained by our Public Works Department.  
15          You know, we have the electrical bill, the  
16          water bill, the security alarm, the water --  
17          the pool. I mean, we're doing a lot of  
18          improvements to the building itself,  
19          re-roofing it. We have a remediation process  
20          going -- taking place in the rear. We've  
21          terminated. We're doing a revamping of the  
22          pool itself. There's quite a bit of capital  
23          monies going into the building.

24          MR. AIZENSTAT: And what about the amount  
25          of money that would now be coming in to the

1 City as a result of letting this operator  
2 come in and run the building?

3 MS. JIMENEZ: Once the banquet hall and  
4 all of the facilities get open, I believe --

5 Nick, is it 20,000 a year?

6 MR. DI DONATO: 20,000 a month.

7 MS. JIMENEZ: A month. 20,200 plus --

8 MR. AIZENSTAT: 20,000 --

9 CHAIRMAN KORGE: A month.

10 MS. JIMENEZ: A month.

11 MR. AIZENSTAT: A month?

12 MS. JIMENEZ: Right.

13 MR. AIZENSTAT: It means revenue coming  
14 in to the City of Coral Gables?

15 MS. JIMENEZ: Yes, and that would  
16 commence the beginning of the year, 2010.

17 MR. AIZENSTAT: And on top of that, the  
18 maintenance or the upkeep that you're doing  
19 to this establishment currently --

20 MS. JIMENEZ: Would go to the lessee.

21 MR. AIZENSTAT: -- would cease?

22 MS. JIMENEZ: That's correct.

23 MR. AIZENSTAT: Okay. You know, I think  
24 in the times that we're in today, and that I  
25 see so much about all the neighbors that are

1       complaining about their taxes and the amount  
2       of money that is being spent by the City and  
3       so forth, I mean, this is a big relief to the  
4       City in that way. I just haven't heard  
5       anybody talk about monetary numbers or funds  
6       or any amount of money coming in, and that's  
7       why I wanted to ask that question. Thank  
8       you.

9               MS. JIMENEZ: Sure.

10              CHAIRMAN KORGE: Any more discussion,  
11       questions?

12              MR. SALMAN: I just don't want to see it  
13       stay closed again, or I want to give it every  
14       chance to succeed, you know, and I'll go  
15       along with it just to preserve the building  
16       and give us an active use, as opposed to  
17       being a vacant building and an attractive  
18       nuisance for bad things to happen, and I  
19       mean, I remember when it caught fire, and how  
20       long it stayed burned out and having to live  
21       with that hulk forever.

22              I have some real concerns with that  
23       outdoor seating along North Greenway, and  
24       it's one of those where we're just going to  
25       see how it works out. I mean, honestly, I

1       don't know if it's going to be very  
2       successful, but I approve and I believe in  
3       the intent of the operator, to create a  
4       front -- a front door that's public within  
5       the building and create that opportunity, and  
6       I think that he's looking at different  
7       revenue enhancements that are possibilities.  
8       If it doesn't work, it will probably revert  
9       back into a meeting room and -- or a special  
10      events room, and at that point it's not going  
11      to be necessarily a problem, but I think that  
12      we need to give him at least that latitude,  
13      and I'll go along with it just to preserve  
14      the building and get it going.

15           MR. COE: Mr. Chairman, before we vote,  
16      and I think we're getting close to that, I am  
17      very troubled. The operator obviously is a  
18      well-seasoned company, they're conscientious,  
19      and we all want them to do well. And I have  
20      no doubt that this project that's being  
21      described is a very worthy project.

22           On the other hand, it's in a residential  
23      area of very nice homes, where people have  
24      lived there for years, and I am troubled by  
25      outdoor dining, particularly at night,

1        particularly on the weekend. I am troubled  
2        by the increase in parking. I'm troubled by  
3        the increase in traffic. I never like valet  
4        parking. I don't like it downtown, but we're  
5        stuck with it downtown.

6        To me, this project is a very worthy  
7        project. I just wonder if it's really  
8        compatible with the neighborhood that it is  
9        going to be in.

10       Now, discussions have been made about how  
11       much money this will generate for the City.  
12       The operator has indicated that he needs the  
13       outdoor to make this a viable concern. All  
14       of that may be true. I don't think it is the  
15       duty or responsibility of this Board to pass  
16       on an economics basis whether to approve this  
17       or not approve this. That may be something  
18       for the Commission to consider. I think we  
19       have to deal with this project without  
20       considering any economic concerns, and I'm  
21       very troubled by this. I'm very troubled by  
22       the parking and the traffic and the outdoor  
23       seating, the noise. As was said earlier, you  
24       know, at weddings, people get carried away,  
25       they're outside, and this, to me, has a



1 deleterious impact on the neighborhood. And  
2 those are my concerns, Mr. Chairman.

3 CHAIRMAN KORGE: Anybody else?

4 MR. BEHAR: I do. I am -- The only  
5 concern I really have is the parking.  
6 There's a total of 124 spaces on site, and I  
7 don't mind moving the project forward, but  
8 we've got to make sure that no -- no cars are  
9 spilled onto the neighborhood, and I think  
10 that may be the biggest problem that we're  
11 going to be facing, what do we do with those  
12 excess cars. I think we need to -- I think I  
13 would like to put some sort of a  
14 recommendation that all cars must be within  
15 the premises. It would really bother me to  
16 see that along North Greenway, you're going  
17 to have the spillover of the cars.

18 MS. KEON: On the golf course, or on the  
19 street?

20 MR. BEHAR: I'm more concerned in the  
21 residential.

22 MR. COE: The residential, right.

23 MR. AIZENSTAT: Right. How do you  
24 control that?

25 CHAIRMAN KORGE: Yes, that's the real

1 question.

2 MR. AIZENSTAT: I mean, you're going to  
3 have the police ticketing, which they would  
4 be doing that, anyway, but how do you control  
5 that?

6 MR. BEHAR: I don't know.

7 MR. FLANAGAN: Maybe if I could suggest,  
8 at least from the valet standpoint,  
9 absolutely zero parking on any swale area.  
10 They would have to be in a designated parking  
11 spot. We have in our packet, after the  
12 parking agreement from several years ago, I  
13 believe their traffic consultant located an  
14 off-site parking lot, which I guess is for  
15 the employees, known as Lots 1, 2, 3 and 4,  
16 that may be -- I mean, it is -- it's a ways  
17 away. It's basically over here by City Hall  
18 and some of the lots in this vicinity, so it  
19 would be a couple or a few blocks, but I  
20 mean, with a total of about 200 spaces,  
21 with -- I think I heard 600 seats, total, in  
22 the facility, I think there's a high  
23 potential for parking problems, and maybe we  
24 could add a condition that any valet parking  
25 has to be in a designated parking spot, and

1           if the valet runners have to come all the way  
2           over to City Hall in order to park and get a  
3           car, I mean, so be it. I mean, I would hate  
4           to see parking in front of people's homes by  
5           valet just to accommodate this.

6           MR. AIZENSTAT: Is that feasible?

7           MR. BEHAR: Yeah, is that realistic?

8           MR. FLANAGAN: Well, is it realistic to  
9           have 600 seats with 200 parking spots?

10          MR. BEHAR: No, no, no, that they're  
11          going to park by City Hall, that's what  
12          I'm --

13          MR. SALMAN: That's about the valets  
14          bringing the cars out there. They'll shuttle  
15          them. They can work it.

16          MR. COE: Would you want to have your car  
17          parked at City Hall and you're at the Country  
18          Club?

19          MR. SALMAN: I plan to park at Vince  
20          Damian's house and walk over, I don't know.

21          MR. COE: Or put it in his garage.

22          MR. BEHAR: I don't think he'd like that.

23          MS. KEON: Can I ask one question, too,  
24          about the parking? The off-site parking, the  
25          parking that is along Granada and at the golf

1       course, the use agreement is that it is  
2       available at any time that it is needed, or  
3       is it available at specific times?

4           MR. CARLSON:  It's my understanding that  
5       it could be used for valet parking when they  
6       have events that go over --

7           MS. KEON:  When they have events?

8           MR. CARLSON:  When they have -- when  
9       they're anticipating more than 120 cars.

10          MS. KEON:  Okay.  So, if you were having  
11       a wedding or you were having a large wedding,  
12       you would then -- and it starts at four  
13       o'clock in the afternoon, or three o'clock in  
14       the afternoon, then they could use --

15          MR. CARLSON:  Correct.

16          MS. KEON:  You could block off all the  
17       parking at Granada, so if people are parked  
18       there at the golf course or --

19          MR. BEHAR:  But you can't do that, Pat.  
20       If you have a golfer, you know, using that  
21       lot, are you going to say, you know, "Get  
22       out"?

23          MS. KEON:  What do you do?

24          MR. BEHAR:  You cannot --

25          MS. KEON:  Right.

1           MR. BEHAR: You cannot restrict it just  
2           to --

3           MR. SALMAN: They've already been taken.

4           MS. KEON: Right.

5           MR. SALMAN: They've already been taken.

6           MS. KEON: So what it means is that  
7           although you have that use agreement, you  
8           don't have the availability of those spaces.

9           MS. HERNANDEZ: Right.

10          MR. COE: Right.

11          MR. BEHAR: Correct.

12          CHAIRMAN KORGE: Of all the spaces,  
13          that's correct.

14          MS. KEON: You don't have it. The use  
15          agreement is really not the issue. The issue  
16          is the availability of parking spaces, and  
17          that doesn't --

18          MR. SALMAN: The issue here is one of an  
19          increase in intensity of use. That is our  
20          issue, because they're adding seating to the  
21          project, and that's the issue. We're going  
22          to be increasing the intensity of use.

23          MR. BEHAR: Well, what would happen if  
24          you could only have those functions once that  
25          parking is really available, and I don't know

1           what time Granada closes, but I cannot  
2           imagine --

3           MR. SALMAN:   Sundown.

4           MR. BEHAR:   Seven o'clock?

5           MR. SALMAN:   Sundown.

6           MS. KEON:    Sundown.

7           MR. BEHAR:   Sundown?

8           MS. KEON:    Which is eight o'clock in the  
9           summer.

10          MR. BEHAR:   That's --

11          MR. SALMAN:   I can't imagine being  
12          outside in the summer for any event, other  
13          than to play golf.

14          MS. KEON:    Playing golf, yeah, so the  
15          parking spaces in the golf area are --

16          MR. SALMAN:   Well, they're not going to  
17          book an event for a wedding outside, let me  
18          tell you that, so it's not going to happen.

19          MS. KEON:    No, it's the parking. No,  
20          it's whether the parking spaces are there.

21          MR. SALMAN:   It's the parking. The issue  
22          is one of increase in intensity of use and  
23          how they're going to -- and unfortunately,  
24          when you do that, you open up the entire  
25          agreement. You open up the entire issue of,

1           how are we going to solve the problem of the  
2           parking for, you know, 600 people when you  
3           have 200 spaces? That's the problem. And  
4           some of them are double-booked, and you start  
5           to figure that out.

6           MR. BEHAR: And realistically, you are  
7           adding 240 new seats, correct, to the  
8           project? Is that what -- if I remember  
9           correctly.

10          MR. DI DONATO: No, no, we're  
11          reallocating some of those seats, so we've  
12          removed some seating areas on the inside and  
13          reallocated them.

14          MR. BEHAR: Today, how many -- what's  
15          your capacity?

16          MR. DI DONATO: The same capacity as it  
17          was before.

18          CHAIRMAN KORGE: I'm sorry, how much?

19          MR. DI DONATO: It's the same capacity.

20          MR. AIZENSTAT: You haven't changed your  
21          capacity of seating?

22          MR. DI DONATO: We haven't asked for  
23          additional --

24          MR. SALMAN: They haven't increased it.

25          MR. AIZENSTAT: Just relocated --

1           MR. DI DONATO: We've relocated our  
2           seating from inside to outside.

3           CHAIRMAN KORGE: So it doesn't increase it.

4           MR. SALMAN: So it isn't an increase in  
5           your --

6           MR. DI DONATO: No, we're not asking for  
7           an increase in seating. We're asking for a  
8           relocation. We --

9           MR. SALMAN: I wish somebody would have  
10          corrected me.

11          MR. DI DONATO: Yeah, what we've done is,  
12          if you look at our drawings, we've reduced  
13          the size of the main banquet hall by  
14          increasing the size of the reception area.

15          MR. SALMAN: So you're not increasing the  
16          intensity of use?

17          MR. DI DONATO: No, and that's why --

18          MR. SALMAN: You're not increasing by one  
19          seat what you had before, when you had your  
20          agreement?

21          MR. DI DONATO: No.

22          MR. SALMAN: You're just moving them,  
23          some of them, to the outside?

24          MR. DI DONATO: Yes.

25          CHAIRMAN KORGE: So the problem with it --



1           MR. COE: But the problem -- but the  
2           problem is, it's not like it used to be.  
3           It's a transient crowd. People come and go.  
4           So you're having this constant turnover of  
5           people like you would have in a restaurant,  
6           correct?

7           MR. DI DONATO: Well, I think, as a  
8           result, there would be less critical mass at  
9           any given time, because the 40 seats for the  
10          cafe won't be used in the evening when we  
11          have a wedding. So the reality is, by  
12          reallocating the seats, we may alleviate some  
13          of the problems.

14          MR. SALMAN: That was my point when I  
15          said that they segregated the uses, that you  
16          cannot go to the main -- North Greenway  
17          entrance valet and drop your car at North  
18          Greenway and get to the banquet hall. You  
19          have to go to the north entrance. So it is  
20          sort of self-segregating that way.

21          MR. COE: See, I just don't think it's  
22          well thought out, because the parking is a  
23          true problem, and the filtering of people  
24          outside is a problem, and you may have  
25          solutions, but I just don't see the solutions

1 in what's being proposed.

2 MR. BEHAR: But the parking problem  
3 exists today, then.

4 CHAIRMAN KORGE: The problem is, it  
5 originated with --

6 MR. COE: It doesn't exist today, because  
7 the place is closed.

8 MR. BEHAR: Aw, come on. You can't --  
9 Jack --

10 CHAIRMAN KORGE: That's not reasonable.

11 MR. AIZENSTAT: You can't keep it closed.

12 CHAIRMAN KORGE: Yeah.

13 MR. COE: I understand you can't keep it  
14 closed. It's not economically viable. Are  
15 we going to go from the fire (sic) pan into  
16 the fire by quickly approving something that  
17 I think needs more thought, frankly. I'm not  
18 saying it's a bad project. I'm not saying if  
19 you came back with some more thought, it  
20 wouldn't be something that would be far more  
21 realistic. I'm just really concerned.

22 MR. DI DONATO: Again, with respect to  
23 parking, we think we -- by allowing the  
24 changes we're asking for today, you're  
25 alleviating the problem of parking which you

1        had before. So this is a -- with respect to  
2        parking, with all due respect, it alleviates  
3        the problem to some degree, because you are  
4        going to have people coming in at different  
5        times, so you're not going to -- you know,  
6        when you have a wedding, for example, the  
7        critical mass is around six o'clock, all at  
8        the same time. Well, the cafe is not going  
9        to be busy at six o'clock. That's more of a  
10       daytime operation and it's not going to be  
11       full, at capacity, all the time. There's  
12       more of a transient -- as you said, a  
13       transient kind of crowd, so it's not that  
14       everybody's there at one time. If it's a  
15       banquet hall and you have 400 seats,  
16       everybody is there at one time. So, by  
17       adding restaurant seating, you could be  
18       alleviating that problem if they're not all  
19       full, and usually restaurants aren't  
20       completely, one hundred percent full.

21       MR. SALMAN: So your banquet facility was  
22       what and is now?

23       MR. DI DONATO: Yeah.

24       MR. SALMAN: What is it?

25       MR. DI DONATO: We've reduced the seats

1 in our banquet facility.

2 MR. SALMAN: What was it before?

3 MR. DI DONATO: The total seating?

4 MR. SALMAN: Yeah. The banquet facility  
5 as per your original agreement, before you  
6 reapportioned the seating.

7 MR. DI DONATO: We reduced the banquet  
8 seating by 150 seats in the main banquet  
9 hall.

10 MR. SALMAN: So your banquet hall  
11 facility is now 150 seats smaller --

12 MR. DI DONATO: Yes.

13 MR. SALMAN: -- than your original  
14 agreement.

15 MR. DI DONATO: Yes.

16 MR. SALMAN: And you segregated that to  
17 restaurant use --

18 MR. DI DONATO: Yes.

19 MR. SALMAN: -- which is a different  
20 intensity, because honestly, they don't all  
21 come at once to a restaurant, more or less,  
22 but -- you know, don't all show all up at  
23 exactly six o'clock.

24 MR. DI DONATO: Exactly.

25 MR. BEHAR: And the cafe, how late are

1           you going to open the Liberty Cafe?

2           MR. DI DONATO: Well, we don't expect the  
3           cafe to be busy late at night.

4           MR. BEHAR: Late at night.

5           MR. DI DONATO: It's more of a daytime --

6           MR. BEHAR: So those 40 spaces don't  
7           become --

8           MS. KEON: But it's open until ten  
9           o'clock.

10          MR. DI DONATO: Yes, but we don't expect  
11          that to be a critical part of our business.

12          MR. SALMAN: Well, it's a self-serve,  
13          walk-up situation. It's not necessarily a --

14          MR. DI DONATO: The potential for all  
15          those --

16          MR. SALMAN: For the cafe portion, not  
17          for the restaurant.

18          MR. FLANAGAN: Right, but the restaurant  
19          is open and, as many restaurants in Coral  
20          Gables, if they're good, they're popular and  
21          packed.

22          MR. SALMAN: Yeah, they're going to go.

23          MR. DI DONATO: The potential for the  
24          numbers of people is reduced as a result of  
25          having --

1           MR. BEHAR: I think the problem is when  
2           you have a function. That's going to be the  
3           problem, when you have a function --

4           MR. SALMAN: He's reduced the impact of  
5           the function by 150 seats, because the big  
6           functions, now he only -- his seating  
7           capacity has dropped. He's limiting his own  
8           use.

9           MR. AIZENSTAT: What's your seating  
10          capacity for a big function now?

11          MR. DI DONATO: We're down to -- Is it  
12          500? Our drawings will show the new numbers.  
13          I think it's 500 versus 680. Yes, so we've  
14          reduced it by whatever number there was, and  
15          we felt that was the appropriate thing to do.

16          MR. BEHAR: 429 seats, that's what it  
17          says here.

18          MR. DI DONATO: And it used to be 600 and  
19          some odd, so -- I'm sorry I don't have the  
20          numbers in my head.

21          MR. BEHAR: 615, and you've got 429, is  
22          what it looks like.

23          MS. KEON: It's 429.

24          MR. BEHAR: Where that hall used to be  
25          615, and now you have --

1 MS. KEON: 429.

2 MR. BEHAR: -- 429.

3 MR. DI DONATO: If you can look at our  
4 floor plan, we've reduced the size of the  
5 banquet room by that 150 seats. We've  
6 expanded the pre-function space to  
7 accommodate people there. We didn't feel we  
8 needed 680 seats in one banquet room, and we  
9 don't like the idea of doing two separate  
10 banquets, so we reallocated those seats, and  
11 again, we looked at that from a parking  
12 perspective, in terms of the impact on  
13 parking all at one time, the impact on valet,  
14 and so by allowing us to have the outside  
15 seating, we reduced the banquet size.

16 MR. SALMAN: Will the restaurant be by  
17 reservation?

18 MR. BEHAR: No.

19 MR. DI DONATO: No.

20 MR. SALMAN: No.

21 MR. COE: First come, first served,  
22 right?

23 MR. DI DONATO: We'd like to be a  
24 neighborhood restaurant, so --

25 MR. COE: Sure.

1           MR. DI DONATO:  -- that's what we'd like  
2           to do.

3           MR. SALMAN:  Sorry, that was a trick  
4           question.

5           CHAIRMAN KORGE:  Any more discussion?

6           MR. COE:  Is there a motion pending,  
7           Mr. Chair?

8           CHAIRMAN KORGE:  There's no motion  
9           pending.  Any motion from the floor?

10          MR. SALMAN:  I make a motion to approve  
11          and accept Staff's recommendation.

12          MR. AIZENSTAT:  Say that again?

13          MR. SALMAN:  I make a motion to approve,  
14          accepting Staff's recommendations.

15          MR. AIZENSTAT:  Accepting Staff's  
16          recommendation?  I'll second that.

17          CHAIRMAN KORGE:  There's a motion and a  
18          second.  Any discussion on this motion?

19          MS. KEON:  I feel strongly, strongly --

20          MR. COE:  Call the question,  
21          Mr. Chairman.

22          MS. KEON:  I oppose this outdoor dining  
23          in front of that historic portion of that  
24          building on North Greenway Drive.

25          CHAIRMAN KORGE:  Anybody else have any



1           comments or discussion?

2           MS. KEON:   And I'm sure they can make it  
3           work if they didn't have it.

4           CHAIRMAN KORGE:   Well, no further  
5           discussion.   Let's call the roll, please.

6           MS. MENENDEZ:   Jeff Flanagan?

7           MR. FLANAGAN:   Yes.

8           MS. MENENDEZ:   Pat Keon?

9           MS. KEON:   No.

10          MS. MENENDEZ:   Javier Salman?

11          MR. SALMAN:   Yes.

12          MS. MENENDEZ:   Eibi Aizenstat?

13          MR. AIZENSTAT:   Yes.

14          MS. MENENDEZ:   Robert Behar?

15          MR. BEHAR:   Yes.

16          MS. MENENDEZ:   Jack Coe?

17          MR. COE:   For the concerns that I have  
18          previously expressed, I think what's being  
19          proposed tonight is premature.   I have all  
20          the confidence that the operator has good  
21          intentions.   I would like to see his project  
22          succeed, but I don't think what we've been  
23          presented tonight meets what I think is the  
24          standards that a residential community and  
25          neighborhood of this character should have to

1           endure, so regretfully I have to vote no.

2           MS. MENENDEZ: Tom Korge?

3           CHAIRMAN KORGE: Yes. The motion passes.

4           The next item on the agenda?

5           MR. COE: Can we take a recess,

6           Mr. Chairman?

7           MR. BEHAR: Why? Have you got to leave?

8           MR. COE: I'm leaving.

9           MR. BEHAR: Okay, well, let's continue,  
10          with no recess.

11          MR. SALMAN: Let's go.

12          MS. HERNANDEZ: A recess?

13          MR. BEHAR: Let's continue. There's no  
14          recess.

15          MR. SALMAN: Let's get through.

16          CHAIRMAN KORGE: No recess. We're going  
17          to finish this up.

18          Thank you very much.

19          (Thereupon, Mr. Coe left.)

20          CHAIRMAN KORGE: We have a Zoning Code  
21          text amendment proposal concerning current  
22          nightclub use.

23          MR. CARLSON: Yes.

24          MR. SALMAN: Or lack thereof, actually.

25          CHAIRMAN KORGE: Or lack thereof, okay.

1           MR. CARLSON: This is a Zoning Code text  
2           amendment. It's coming from -- It's coming  
3           from Staff. The City Commission requested  
4           City Staff to review the Zoning Code's  
5           existing provisions regarding nightclubs.

6           Currently, the Code references nightclubs  
7           in the prohibited uses and definitions  
8           sections of the Code. The amendments that  
9           are being proposed here this evening are both  
10          of those sections, and they are intended to  
11          ensure clarity and uniform enforcement  
12          regarding nightclubs, nightclub use.

13          Planning, Building & Zoning, and the City  
14          Manager's Office were involved in the  
15          crafting of the provisions which are coming  
16          before you this evening. The amendments  
17          provided in your Staff Report continue to  
18          allow nightclubs only as accessory uses to  
19          restaurants. It clarifies that alcohol sales  
20          in excess of 49 percent at a restaurant that  
21          includes nightclub activities would be  
22          prohibited. It requires all nightclub  
23          activity to be contained entirely within the  
24          building. It references City Code  
25          requirements regulating the use of

1       nightclubs, specifically, hours of operation,  
2       noise and nuisance provisions. It references  
3       State of Florida licensing requirements for  
4       alcoholic beverages. It requires restaurants  
5       to maintain gross sales receipt records for  
6       the City to -- for City inspection, and  
7       finally, this proposal would define and would  
8       prohibit casinos in the City, and casinos  
9       currently weren't defined and they weren't --  
10      they weren't defined as a prohibited use.

11           The 49 percent alcohol sales reference  
12      is the same limit which is referenced in the  
13      State requirements for the definition of  
14      alcoholic sales at restaurants, and that's  
15      why it's used here.

16           And I'd like to open it up to the Board  
17      for discussion.

18           CHAIRMAN KORGE: Any discussion on this  
19      proposal, or questions?

20           MR. FLANAGAN: I do -- Go ahead, Eibi.

21           MR. AIZENSTAT: I just have a question.  
22      I'm just curious. How do you monitor the 49  
23      percent of the alcohol sales to the food?

24           MR. CARLSON: That's a requirement -- as  
25      I understand it, with Staff's meetings with

1       the Building & Zoning representatives who  
2       issue permits, the liquor permits, it is a  
3       requirement for the sales of liquor, wine and  
4       beer at restaurants. They are required to be  
5       able to provide documentation that it is 49  
6       percent or less. As I understand it, the  
7       State doesn't do annual inspections. They do  
8       inspections --

9               MR. AIZENSTAT: Spot?

10              MR. CARLSON: Spot inspections, and those  
11       records are supposed to be available.

12              MR. AIZENSTAT: Yeah, that just -- I  
13       mean, I don't see how they do it, that's all.

14              MR. CARLSON: Typically, as I understand  
15       it, typically those inspections occur when a  
16       violation or a complaint is filed, and  
17       they'll go out there and check the receipts  
18       to make sure.

19              The intent is that the primary function  
20       of the restaurant is the service of food and  
21       that the sale of alcoholic beverages is  
22       accessory to that.

23              CHAIRMAN KORGE: I found the language a  
24       little confusing, because it wasn't clear to  
25       me how you arrive at the 49 percent. Do you

1       take the total revenues from the facility and  
2       divide it into the alcohol only sales, or do  
3       you just take the food portion and divide it  
4       into the --

5             MR. CARLSON: That's a very good --  
6       That's a very good point.

7             CHAIRMAN KORGE: By total sales, that  
8       would include the alcohol sales, as well.

9             MR. CARLSON: Well, 49 percent of the  
10       sales would be alcohol, therefore, it  
11       doesn't -- that doesn't necessarily mean that  
12       the 51 percent is going to be food sales. If  
13       you were to have cover charges or admission  
14       fees for a nightclub, that would -- you could  
15       potentially have less than the majority of  
16       sales for its food and still have the 49  
17       percent or less sales towards alcohol. So  
18       that's possibly an amendment that would --  
19       could be considered.

20            CHAIRMAN KORGE: I would just clarify  
21       that. I don't -- you know, I just want to  
22       make it clear that we're taking 49 percent of  
23       the total gross receipts from that  
24       establishment. By changing it from  
25       establishment -- gross receipts of the

1 establishment, on Page 3 of 4, to read gross  
2 sales receipts of the primary restaurant use,  
3 it became a little confusing to me, because  
4 I'm not sure what the primary restaurant use  
5 would mean. Would that mean the food only?  
6 Would it mean the food and the non-alcoholic  
7 beverages only, or would it mean all the  
8 revenues?

9 MR. CARLSON: This was taken -- this was  
10 taken out of the State -- this was the  
11 language that the State uses for the liquor  
12 licenses. That's why we use it here, to be  
13 compatible.

14 CHAIRMAN KORGE: I've read enough State  
15 Statutes to say that they're usually  
16 ambiguous, as well, so --

17 MR. CARLSON: I understand.

18 CHAIRMAN KORGE: Yeah.

19 MS. KEON: But I think it's when it  
20 excludes -- cover charges excludes things for  
21 the music, it excludes that sort of thing, so  
22 when it's the primary use of a restaurant is  
23 food and beverage, so the primary use would  
24 be the sales of food and beverage.

25 CHAIRMAN KORGE: All beverage or just

1 non-alcoholic?

2 MS. KEON: All beverage.

3 MR. FLANAGAN: I wanted to clarify. It  
4 seems like we're defining nightclubs solely  
5 as an accessory use to a primary restaurant  
6 use --

7 MS. KEON: Right.

8 MR. FLANAGAN: -- when, if I take the  
9 converse of that, I mean, could I open up a  
10 stand-alone nightclub? I'm wondering if the  
11 definition shouldn't be that a nightclub is  
12 anything where the alcoholic receipts exceed  
13 49 percent or whatever of the revenue,  
14 because everything here talks about it being  
15 as an accessory use to a primary restaurant,  
16 and I'm not -- I know what the intent is.  
17 I'm just not sure that we're capturing the  
18 whole --

19 MS. HERNANDEZ: The language?

20 MR. SALMAN: And listing the prohibition.  
21 Listing the prohibition against the use of --

22 MR. FLANAGAN: It's almost like it should  
23 be Uses Prohibited, A, Nightclub, period, and  
24 then when we get down to definitions, I think  
25 a clearer definition of a nightclub.



1           CHAIRMAN KORGE: Yeah, that's true,  
2 definitely.

3           MR. FLANAGAN: I actually have a client  
4 trying to open a nightclub, but --

5           CHAIRMAN KORGE: Yeah, I would --  
6 Liz, you might want to just go over that  
7 one more time.

8           MS. HERNANDEZ: Okay. Do you want us to  
9 bring it back next month?

10          CHAIRMAN KORGE: No, I mean, we got -- I  
11 think you understand what we're saying,  
12 assuming everybody approves it. It's just,  
13 you know, you might want to work it over one  
14 more time before you bring it to the  
15 Commission.

16          The other question I have is probably  
17 going to get shouted down here, but why don't  
18 we allow bars in Coral Gables?

19          MR. BEHAR: We don't allow bars in Coral  
20 Gables?

21          CHAIRMAN KORGE: We don't allow -- this  
22 isn't allowed. Bars are not allowed. If you  
23 serve primarily alcoholic beverages, which  
24 would be a typical bar --

25          MR. BEHAR: Right.

1           CHAIRMAN KORGE:  -- it's not allowed, and  
2           I'm just kind of curious, as an occasional  
3           visitor of bars, why that's verboten in Coral  
4           Gables.

5           MR. FLANAGAN:  But does it -- no, no, no,  
6           isn't there a State requirement, though, that  
7           for the license that they have, they still  
8           have to have food receipts?

9           CHAIRMAN KORGE:  I don't know.

10          MR. FLANAGAN:  I don't know.

11          MR. CARLSON:  There are a limit -- there  
12          are a minimum number of seats for beer and  
13          wine, and a minimum number of seats for  
14          liquor.

15          MR. SALMAN:  Uh-huh.

16          MR. CARLSON:  50 for beer and wine, I  
17          believe, and 200 for the service of liquor.

18          MR. BEHAR:  That's correct, 200.

19          MR. SALMAN:  This used to be a dry state.

20          CHAIRMAN KORGE:  We have somebody who  
21          wants to add some light -- to shed some light  
22          on this.

23          MS. BROWN:  Hi.  Sebrina Brown,  
24          Concurrency Administrator.  Basically, I sign  
25          off for an alcoholic beverage license when

1       they come to the City. Most of the series  
2       for a restaurant, for beer and wine, they  
3       have to have a minimum of 50 seats, with no  
4       bar within the restaurant. If they're  
5       wanting to have a bar, the State requires  
6       that there's a minimum of 4,000 square feet  
7       in area and 200 seats, and at that point they  
8       can have seating at the bar.

9       Now, there have been some calls in  
10      regards to restaurants that have 50 seats,  
11      where they have a bar and they have seating,  
12      but we cannot tell them, basically, where  
13      they can display their alcohol. The State,  
14      however, has requirements as far as where  
15      they can have a display, but they cannot have  
16      seating on their plans to state that it's a  
17      bar. They can have a service counter. And  
18      the Code states that a restaurant with  
19      alcoholic license is considered a bona fide  
20      restaurant where food is regularly served.  
21      So they have to serve food in order for them  
22      to serve alcohol, and we do not issue any  
23      alcoholic beverage license for restaurants  
24      unless they meet those requirements.

25      CHAIRMAN KORGE: Can you get an alcohol

1 license without a restaurant in the State?

2 MS. BROWN: The only way that we can  
3 issue an alcoholic beverage license is if  
4 it's a retail store, alcoholic beverage  
5 store, and they cannot be within a 500-foot  
6 radius of a church or a school. So we do  
7 require them to provide us with a survey  
8 showing the radius from their parking line  
9 and a 500-foot radius and they have to state  
10 that there's no church or school within that  
11 radius.

12 MR. AIZENSTAT: How does it work if  
13 somebody has a liquor license and they want  
14 to transfer it into the City?

15 MS. BROWN: When they transfer a liquor  
16 license, in some cases the State does not  
17 require a zoning signature, which I do have a  
18 problem with that. However, whenever they  
19 come in for a change of ownership in a  
20 restaurant, they have to come to me to get  
21 their certificate of use, and at that point,  
22 we do question if they are transferring an  
23 alcoholic beverage license or if they're  
24 applying for a new alcoholic beverage  
25 license.

1           Whenever they come through to obtain an  
2           alcoholic beverage license, I have to receive  
3           from them a floor plan at a quarter inch  
4           scale, or some type of scale, showing the  
5           seating layout with the seats labeled, and I  
6           then pass it on to our fire inspector, who  
7           reviews it for capacity. I do not regulate  
8           capacity, as far as the seating. And once  
9           they review and approve the applicant's  
10          certificate -- the seating layout and the  
11          number of seating, at that point I can  
12          approve their alcoholic beverage license, but  
13          if they do not meet our requirements, they  
14          cannot obtain an alcoholic beverage license.

15          And then what we do now is, we check with  
16          the State online to see if they're  
17          transferring their alcoholic beverage license  
18          and it doesn't come to us when they apply for  
19          the certificate of use, and in that case, we  
20          will then verify the seating, and at that  
21          point, we will require them -- although the  
22          State does not require a signature at that  
23          time, if they do not meet our minimum  
24          requirement, we do ask them to provide us  
25          with a seating layout of the restaurant, and

1       we do pass on to Fire all certificate of use  
2       applications that apply for our MEP, which is  
3       mechanical/electrical/plumbing, and also Fire  
4       receives an e-mail saying that there's a new  
5       business opening, and the fire inspectors do  
6       go out and visit the site, but I'm in close  
7       communication with Fire in regards to any  
8       type of alcoholic beverage license or  
9       anything that requires seating.

10       MR. AIZENSTAT:   Seeing as to what you do  
11       in your position and you know what you're  
12       saying, is there anything that you'd like for  
13       the City to change in respect to that, to the  
14       alcohol license?   Have you seen any pitfalls?

15       MS. BROWN:   I have not.   The only thing  
16       that I would like for them to add back to  
17       there is the 4,000 square feet, but the State  
18       regulates that, as well.   It was in our old  
19       Code, but it's not in our new Zoning Code,  
20       but other than that, we pretty much keep  
21       everything under control as far as the  
22       seating inside.   Fire does not regulate  
23       exterior seating.   Basically, they regulate  
24       the location, but not the number of seating.  
25       Zoning regulates that.   They do -- they can

1 include, as far as the seating, the outdoor  
2 seating to meet their requirements for the 50  
3 seats for the smaller restaurants that need  
4 to obtain just a beer and wine license. They  
5 do have what they call a 4COP license, which  
6 is a Florida license, and that is a hard  
7 liquor license, but the restrictions for  
8 those particular type of license, if you do  
9 not have your 200 seats, is that they cannot  
10 have a bar, and we do make that -- we put  
11 that restriction. If we get any complaints,  
12 we send someone out, or if anyone -- they  
13 would go to a restaurant and they find that  
14 they have a bar, they're serving as a bar,  
15 and it's less than 200 seats, we do get Code  
16 Enforcement involved. We've had cases like  
17 that, but not many.

18 MR. AIZENSTAT: Thank you.

19 MR. CARLSON: Thank you very much.

20 CHAIRMAN KORGE: Anything else, anybody?

21 Is there a motion?

22 MS. KEON: I'll move it.

23 CHAIRMAN KORGE: Move to approve?

24 MS. KEON: Move to approve with the

25 change in the --

1           CHAIRMAN KORGE: With the change in the  
2           language.

3           MS. KEON: In the language.

4           CHAIRMAN KORGE: Yeah. Is there a  
5           second?

6           MR. FLANAGAN: Second.

7           CHAIRMAN KORGE: Anybody, is there a  
8           second? You don't have to --

9           MR. FLANAGAN: Second.

10          CHAIRMAN KORGE: A second?

11          MR. FLANAGAN: Second.

12          CHAIRMAN KORGE: Any more discussion?

13          No more discussion. Let's call the roll,  
14          please.

15          MS. MENENDEZ: Pat Keon?

16          MS. KEON: Yes.

17          MS. MENENDEZ: Javier Salman?

18          MR. SALMAN: Yes.

19          MS. MENENDEZ: Eibi Aizenstat?

20          MR. AIZENSTAT: Yes.

21          MS. MENENDEZ: Robert Behar?

22          MR. BEHAR: Yes.

23          MS. MENENDEZ: Jack Coe? Tom Korge?

24          CHAIRMAN KORGE: Yes. That concludes our  
25          meeting, I believe. The next meeting is



1           October 14th.

2           MS. HERNANDEZ:   Now --

3           MR. CARLSON:   Excuse me --

4           MS. HERNANDEZ:   -- when is the Country

5           Club going to the --

6           MR. CARLSON:   Can I ask one thing?

7           CHAIRMAN KORGE:   Yes.

8           MR. CARLSON:   One thing from the Board,

9           please.   There may be some rescheduling

10          necessary for the November meeting, which is

11          the Veterans Day holiday, to November 4th.

12          Would you mind if we canvas you to see if

13          that's possible, going from November 11th to

14          November 4th?   We can e-mail each of you.

15          CHAIRMAN KORGE:   I think you should

16          e-mail everybody.

17          MR. CARLSON:   Is that okay?   Just to let

18          you get a heads-up that that will be coming,

19          that that might be necessary to do.

20          MS. KEON:   I'm going to be out of the

21          country.

22          MR. BEHAR:   When's the next meeting,

23          October?

24          MR. AIZENSTAT:   The next meeting is

25          October --

1 MR. CARLSON: The October is --

2 MR. AIZENSTAT: What date is it?

3 MR. CARLSON: 14th.

4 MR. AIZENSTAT: And that's on?

5 MR. CARLSON: October 14th.

6 MR. AIZENSTAT: And that meeting is on?

7 MR. CARLSON: That stays the same. We're  
8 talking about the November meeting.

9 MR. BEHAR: Madam Attorney, this Board  
10 meeting, this seminar --

11 MS. HERNANDEZ: Yes.

12 MR. CARLSON: Thank you very much.

13 CHAIRMAN KORGE: Okay.

14 MR. BEHAR: -- I will be out of town on  
15 this date.

16 MS. HERNANDEZ: You have to be in town.

17 MS. KEON: I'm going to be out of town on  
18 that date, too.

19 MS. HERNANDEZ: No, you have to be in  
20 town.

21 MS. KEON: I'm going to be gone.

22 MS. HERNANDEZ: I just know that you all  
23 join me in extending the condolences to Mr.  
24 Riel on the loss of his father. That's why  
25 he's not here.

1           CHAIRMAN KORGE: Right.

2           MR. BEHAR: Oh, sorry. I'm sorry to hear  
3           that.

4           (Thereupon, the meeting was adjourned at  
5           7:55 p.m.)

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## 1 C E R T I F I C A T E

2

3 STATE OF FLORIDA:

4 SS.

5 COUNTY OF MIAMI-DADE:

6

7 I, JOAN L. BAILEY, Registered Diplomate  
8 Reporter, Florida Professional Reporter, and a Notary  
9 Public for the State of Florida at Large, do hereby  
10 certify that I was authorized to and did  
11 stenographically report the foregoing proceedings and  
12 that the transcript is a true and complete record of  
13 my stenographic notes.

14

15 DATED this 21st day of September, 2009.

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19

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JOAN L. BAILEY, RDR, FPR

20

21

22 Notary Commission Number DD 64037  
23 Expiration June 14, 2011.

24

25